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PARLIAMENTARY DEBATES
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HOUSE OF LORDS

OFFICIAL REPORT

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The first time a Member speaks to a new piece of parliamentary business, the following abbreviations are used to show their party affiliation:

Abbreviation	Party/Group
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
LD	Liberal Democrat
LD Ind	Liberal Democrat Independent
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

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House of Lords

Monday 9 May 2016

2.30 pm

Prayers—read by the Lord Bishop of Truro.

China: Market Economy Status Question

2.36 pm

Asked by Baroness Falkner of Margravine

To ask Her Majesty's Government what is their policy on the European Union granting market economy status to China.

The Minister of State, Department for Business, Innovation and Skills & Foreign and Commonwealth Office (Lord Price) (Con): I thank the noble Baroness for her Question. The Government believe it is important that WTO members meet their obligations. China's 2001 protocol of accession to the WTO removes certain provisions after 15 years, so countries may need to grant China market economy status when conducting anti-dumping investigations. We recognise there are real concerns about this. We are committed to discussing implementation of the protocol's requirements with our international partners and look forward to the European Commission's proposals in this area.

Baroness Falkner of Margravine (LD): I welcome the Minister to his role. He will be aware that several studies show that if China were granted market economy status, it could reduce Europe's GDP by 1% to 2% and reduce total output by up to €220 billion per annum. It is not a straightforward matter. I suggest to the Minister that he is legally allowed, under Article 15(d) of China's WTO accession plan, to put the onus on Chinese manufacturers to prove that they do not benefit from state aid or manipulation of currency policy. When he is having discussions with other EU member states, will he suggest to them that this compromise is perhaps the way forward, rather than kowtowing to the Chinese Government in a self-defeating way for British manufacturing and jobs?

Lord Price: I thank the noble Baroness for her suggestion. There are a number of things we are doing as this process moves through. First, as your Lordships know, the EU is looking at the legal position with Article 15 and we continue to assess that and have discussions with countries that have not yet agreed the protocol with China. Secondly, a piece of work by the Commission will assess the impacts and when we receive that, we will know what position we are actually in. Thirdly, we are discussing a number of mitigations in the event that we find the impacts unfavourable. So a number of things are in train, both legally and in terms of mitigations, to make sure that our position is one where we trade fairly with China.

Baroness Armstrong of Hill Top (Lab): In welcoming the Minister to his position, I wonder whether he would like to comment on the potential effect on the

north-east, which is the only region in the country to have a positive balance of trade, because of manufacturing. What effect does he think the suggestion yesterday that we can prosper outside the single market would have on the north-east of England?

Lord Price: I thank the noble Baroness for her question about the EU and the north-east. The Government believe that the country is far stronger inside the EU than outside it, for a whole host of reasons, which have now been well documented by the Prime Minister and others.

Lord Howell of Guildford (Con): My Lords, I congratulate my noble friend on his new post but is he aware that although EU-China trade has been growing, particularly in goods, in fact the Commonwealth's trade with China has increased by 14 times since 2000? The pattern is one of growth all round but the weak point is inward investment into China, which has fallen quite sharply, and of course services to China, where we have considerable difficulty. Since we are an 80% service economy, it is really in our interest to expand that side, particularly given that the EU services single market is not very active and quite difficult to get into.

Lord Price: My noble friend is right that it would be good to see the United Kingdom exporting more services to China. The good news is that we have now moved to number four with China in our goods exports, and China is currently the seventh-largest market for our goods and services exports. However, we believe that as the Chinese economy develops into more of a service economy, we will indeed be able to do more.

Baroness Hayter of Kentish Town (Lab): My Lords, first, I welcome the noble Lord to his new position, and on behalf of everyone, I think, I congratulate the new Mayor of London—London will play such an important role. Will the Minister welcome today's relaunch of the "Stronger in" campaign? We look forward to working to make sure that we stay in the Union, for this and other agreements.

Lord Price: The noble Baroness supports my own position: that the UK is stronger inside the EU. We have more trade agreements between the UK and the rest of the world than the United States and Canada together. We believe in free trade and, in our current position, we are best placed to access the world through free trade through the agreements that we have with the EU.

Lord Pearson of Rannoch (UKIP): My Lords—

Baroness Burt of Solihull (LD): My Lords—

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, you need to help me out when this happens. I suggest that we hear briefly from the noble Lord, Lord Pearson, and then go back to the Conservative Benches.

Lord Pearson of Rannoch: But my Lords, if we were not in the European Union, would we not be able to make our own free trade with China, as many smaller economies have done?

Lord Price: The noble Lord is of course right that we would be able to do that. It is worth considering the fact, though, that Australia took 13 years to reach an agreement with China. It is not about just one or two agreements. I think we would have to negotiate the best part of 60 agreements at the moment, so it would be a considerable piece of work. It can of course be done but, through that period, there will be a time of uncertainty.

Lord Garel-Jones (Con): My Lords, is this not just another example of important international decisions being taken in which Britain would have virtually no role to play whatsoever, were we to leave the European Union?

Lord Price: The noble Lord is of course right. Being a member of the EU gives us the opportunity to take part in all kinds of discussions around the world on a whole range of topics.

Baroness Burt of Solihull: My Lords, I, too, welcome the Minister to his new position. There would be concern on all sides of the House if we allowed market economy status to China, until and unless the state stops interfering in market pricing. Does the Minister agree that we need the negotiating power of being part of the largest market in the world to get a better deal for Britain from China and other economies, too?

Lord Price: The noble Baroness is right that being part of the EU gives us considerable weight when it comes to negotiations. On the MES point, we can certainly do a number of things. We need to look at the legal position in Europe and we will have a part to play in that. We also need to make sure that any mitigations we put in place—we are currently considering four—will have the desired impact. Where tariffs have been imposed, led by this Government, they have been successful in reducing imports, particularly in steel, which I know is of great concern to the House. Where that has been done, we have reduced imports by 90% and that has had the desired effect.

Euro: Support for Joining *Question*

2.44 pm

Asked by Lord Robathan

To ask Her Majesty's Government whether they will publish a list of organisations and individuals in public life, including Members of both Houses of Parliament, who have previously urged that the United Kingdom should join the euro.

Lord Ashton of Hyde (Con): My Lords, no, the Government have no plans to publish such a list. The Prime Minister has been clear that Britain will never join the euro.

Lord Robathan (Con): My Lords, when the CBI warns that a million jobs may be lost should we leave the EU, it is spookily reminiscent of what it said during the euro debate and uses exactly the same arguments. If my noble friend will not publish a list,

will he encourage those who told us that terrible things would happen if we did not join the euro to fess up before they tell the British public that there will be a disaster if we leave the EU?

Lord Ashton of Hyde: My Lords, it depends on who my noble friend has been listening to. The Treasury assessment and analysis was clear at the time that it was not in Britain's interest to join the euro. Many other experts, such as the Governor of the Bank of England, the IMF and the OECD, also raised concerns about Britain joining the euro. They are now unanimous that Britain should remain in the EU.

Lord Rooker (Lab): Why did the Minister not tell his noble friend that this Question has nothing whatever to do with ministerial responsibility? It would be quite sinister if the Minister said he could publish such a list, rather than saying that the Government will not publish such a list. I cannot understand why this Question was allowed on the Order Paper.

Lord Ashton of Hyde: My Lords, one reason is that I did not think of it. Secondly, I am not responsible for the Questions that are tabled in this House.

Lord Wright of Richmond (CB): My Lords, I think the Minister is probably too young to have been in the House when Lord Dahrendorf was here. He once said—I think in this House but certainly in writing—that anybody who has not changed his mind in the last 10 years has probably not been thinking.

Lord Ashton of Hyde: I am too young to have been in the House then, but I know Professor Dahrendorf was at the LSE, which is quite clear that we should remain in the EU.

Baroness Smith of Newnham (LD): My Lords, if the intention behind the Question was to infer current wisdom—or otherwise—from past behaviour, could the Minister remind the House which Chancellor of the Exchequer shadowed the deutschmark and pressed the late Baroness Thatcher to enter into the exchange rate mechanism of the European monetary system?

Lord Ashton of Hyde: I think I am too young to remember.

Lord Forsyth of Drumlean (Con): Given the Government's warnings that leaving the European Union might result in a war in Europe, so we are told today, mortgages going through the roof and the loss of 3 million jobs, could my noble friend explain how on earth the Prime Minister decided to call a referendum on this matter in the first place? How could my right honourable friend the Prime Minister have possibly contemplated, as he told us he did, walking away from the negotiations and recommending a no vote?

Lord Ashton of Hyde: Taking the last part of the question first, I do not think it is right for my noble friend to dwell on the negotiations. The point is that we are where we are. We have a choice before us, which is dramatic uncertainty if we leave and knowing what we are in now, with a reformed Europe, if we stay.

Lord Hannay of Chiswick (CB): My Lords, would the Minister not recognise that there is a total difference between what we might or might not have lost from not joining the euro and what we might or might not lose from leaving the European Union and—as I gather the leave campaign now proposes—leaving the single market? The two things are apples and oranges, and it is not wise to confuse them. By the way, the names of those who supported joining the euro in 1999 are a matter of public record, and I will help the noble Lord by saying that I was a member of the council of Britain in Europe.

Lord Ashton of Hyde: My Lords, I agree with the noble Lord that being a member of the euro and being a member of the EU are two different things. The Prime Minister has negotiated that we will have a special place in Europe, because the decisions of the EU will not depend on whether we are in the euro and we will be protected in the EU although we are not a member of the eurozone.

Lord Tunncliffe (Lab): My Lords, I thank the Minister for his ringing endorsement of Gordon Brown's leadership. Moving on, surely this debate is bigger than our currency; it is about what being a member of the EU really means. Does he agree that it is vital that over the coming days, we facilitate the broadest ranging debate possible, because it will be in so doing that the benefits of being a member of the EU will be demonstrated beyond doubt?

Lord Ashton of Hyde: My Lords, I agree with the noble Lord: there are many things apart from the economics of the situation. Security and safety against terrorism, the science base and many other things, not least our position in the world order, depend on our being in the EU.

Lord Lawson of Blaby (Con): My Lords, will my noble friend confirm that he is not too young to recall that in January 1989, when I was still Chancellor of the Exchequer, I made a speech spelling out why the euro—monetary union—would be a disaster, why we should not join it and why the European Union would be foolish to go ahead? Perhaps he can set the record right against those who are clearly too young to recall the past.

Lord Ashton of Hyde: My Lords, I do not remember every speech that my noble friend made, but in many cases he was very wise.

Investor Visas: Money Laundering *Question*

2.51 pm

Tabled by Baroness Ludford

To ask Her Majesty's Government what retrospective checks they intend to make, if any, into the financial backgrounds of foreign citizens, predominantly from Russia and China, who were granted United Kingdom residence through tier 1 investor visas, in the light of the reductions in applications and acceptances since the introduction of prior money-laundering checks in 2015.

Lord Wallace of Saltaire (LD): My Lords, on behalf of my noble friend Lady Ludford, who is unwell, and at her request, I beg leave to ask the Question standing in her name on the Order Paper.

The Advocate-General for Scotland (Lord Keen of Elie) (Con): While I cannot disclose the specifics of ongoing investigations, I can assure the noble Lord that the Home Office is working with partners across government and, where evidence of wrongdoing comes to light, robust action will be taken with respect to pre-April 2015 applications.

Lord Wallace of Saltaire: I welcome the implications of that statement. We are coming up to the anti-corruption summit, but it is clear from the numbers between 2011 and 2014—when, happily, the Government tightened the rules—that a number of Russian, Chinese and central Asian businessmen were in effect exporting corruption into Britain. It was a breach of British sovereignty, in effect, allowing these people to buy residence and, in some cases, citizenship. There are those who raise the question of criminals from abroad being allowed into this country. This was criminals from abroad being allowed to buy their way into the country. Does not that seem to be a very important issue for the Government to use their retrospective authority to investigate much more closely?

Lord Keen of Elie: With respect to the noble Lord, the proposition that no proper checks were carried out prior to April 2015—or, indeed, November 2014—is not well founded. I believe that Transparency International, in one of its important pieces of work, referred to what it termed a “blind faith” period, but there was no such thing because persons wanting to invest in the United Kingdom pursuant to a tier 1 visa application were required to do that through either a broker, a bank or a lawyer, who would be regulated under the FCA and therefore bound to carry out relevant financial due diligence and anti-money laundering checks.

Lord Howarth of Newport (Lab): My Lords, how effective does the Minister think that any checks will be as long as they are carried out by the very banks which the National Crime Agency informs us are laundering billions of dollars every year? If the anti-corruption summit, which we are told the British Virgin Islands, the Cayman Islands and Jersey have declined to attend, is to be anything more than gesture politics, will the Government follow it immediately by effective action: legislation to abolish the tier 1 visa racket and to require transparency of beneficial ownership of offshore companies and trusts?

Lord Keen of Elie: The Government have no plans to abolish the tier 1 route.

Lord Tomlinson (Lab): Could the Minister remind Members of the House who have short memories who was in government with the Conservatives at the time we are talking about?

Lord Keen of Elie: Well, in fact the relevant tier 1 form of application goes back to 1994.

Lord Foulkes of Cumnock (Lab): My Lords, there are schools, hospitals, nationality and honours. Is it possible for people with enough money to buy anything from a Tory Government?

Lord Keen of Elie: The question, in my respectful submission, is not well aimed, and there is no question of persons being able to buy their way into the United Kingdom. There is a means by which they can invest in the United Kingdom, but they are subject to very clear checks, which have been improved since 2014.

Lord Paddick (LD): My Lords, I am greatly encouraged by what the Minister has said about investigations going on into pre-2015 cases. Can he tell the House how many tier 1 visas have been revoked as a result of those investigations?

Lord Keen of Elie: At the present time, I am not aware that any tier 1 visas have been revoked. Of course, tier 1 visas lead on to an application for indefinite leave to remain. When that application is made, one issue that is addressed is any suggestion of criminality.

Lord Rosser (Lab): My Lords, as I understand it, according to the ONS, 76 fewer grants in the tier 1 investor category, which is the category for the really wealthy, were made in 2015, following changes introduced in November 2014, including the introduction of money laundering checks. In October 2015, Transparency International, to which the noble and learned Lord referred, said that,

“it is reasonable to infer that a proportion of money invested into the UK by Russian and Chinese Tier 1 investors is linked to crimes of corruption”.

Do the Government agree with that statement with respect to the situation prior to 2015 and, if they do not, why do they think that there has been such a significant reduction in the number of tier 1 investor grants made in 2015 compared with previous years?

Lord Keen of Elie: With respect, Transparency International’s report was looked at and considered by this Government. However, it referred to a period prior to April 2015 of “blind faith”. There was no such blind faith. As I indicated, when an overseas investor made a qualifying investment, he made it through a regulated authority and was therefore checked. As for the numbers, it will be a matter of notice that the sum required for investment has been doubled from £1 million to £2 million. Over and above that, the noble Lord will bear in mind the relevance of the exchange rate over the relevant period, as well. The rouble went from 50 roubles to the pound to 100 roubles to the pound, with the result that the required investment from someone in Russia is now 200 million roubles.

Lord Anderson of Swansea (Lab): Clearly, that increased sum is unlikely to deter the sort of individuals who are the subject of this Question. Since there was a reduction, what was the reason for it, in the Government’s view?

Lord Keen of Elie: There are a number of reasons for the reduction. It is noteworthy that the reduction in the number of applications from Chinese nationals began in 2013, before any of these changes were made, and has progressively lowered thereafter. It may be attributed in part to capital controls being increased and improved in some of those countries.

Lord Howarth of Newport: The Minister said that the Government had no plans to abolish the tier 1 visa system. How does he justify that to ordinary Londoners, who see themselves priced out of the London housing market in consequence of large quantities of ill-gotten capital being imported into this country through the tier 1 visa system and invested in London housing?

Lord Keen of Elie: The premise underlying the question is fundamentally wrong. It is not necessary to have a tier 1 visa or visa application to invest in property in the United Kingdom. Conversely, an investment in property in the United Kingdom is not a qualifying investment for the purposes of a tier 1 visa application.

Lord Wallace of Saltaire: Have the Government noticed the Spanish Government’s prosecution of a number of Russians resident in Spain taking place over the last week? Is the Minister aware that the Panama papers have provided a good deal of new evidence on some people who are now British citizens and where their money came from within Russia?

Lord Keen of Elie: I am not going to comment on individual cases at this time.

Young Asylum Seekers: Deportation Question

2.59 pm

Asked by **Lord Roberts of Llandudno**

To ask Her Majesty’s Government whether it is their continuing policy to deport failed unaccompanied asylum seekers on reaching 18 years of age.

The Advocate-General for Scotland (Lord Keen of Elie) (Con): In the absence of adequate reception arrangements in the country of origin, our policy is not to return unaccompanied children who are refused asylum. Instead, we grant leave until they reach adulthood. At that point, individuals can make further representations, but if they do not qualify for protection or another form of leave, it is right that they leave the United Kingdom. Support is available for people to return voluntarily.

Lord Roberts of Llandudno (LD): I thank the Minister. I tabled a Written Question on 13 April asking for the number of 18 year-olds deported in each of the last 10 years. One month later, I have still not received a reply. I received a reply last October to a Question about deportation figures, and was given a number for 2010 of 132. After another Question in March, that was corrected to 778. The initial figure given for 2014 was 151, which was later corrected to 445. Is the Minister happy with these sorts of misleading citations

of figures from the Home Office? Is it not time that we had some explanation for why this happened? The Home Office is reluctant to give answers, and when it does so, the answer is wrong.

Lord Keen of Elie: There is no reluctance on the part of the Home Office to answer these questions. Given the diverse number of figures that the noble Lord has mentioned, it might be difficult to determine which of them was wrong and which was right.

Noble Lords: Oh!

Lord Keen of Elie: However, I am advised that for the year 2014 the number of removals was 402, and for 2015 it was 333.

Baroness Howarth of Breckland (CB): My Lords, if it is unsafe for youngsters to return to their countries of origin before they are 18, how do those countries suddenly become safe? I ask this question because a number of young people with family here—I have met such young people, some of whom are as young as six—suddenly discover, when they are 18 and starting school, that they do not have the right papers. Why has that not been investigated sooner? Why are children not returned home sooner when it is safe, not at 18 when their lives are changing?

Lord Keen of Elie: With regard to children who have been here from the tender ages mentioned by the noble Baroness, I would point out that where a person under 18 has lived continuously in the United Kingdom for seven years or more and it would be unreasonable to expect them to leave, arrangements will be made for them to remain.

Lord Dubs (Lab): Will the Minister confirm that there are no circumstances in which anyone would be removed from this country unless it was absolutely safe for them in their country of origin?

Lord Keen of Elie: Whether it be a matter of assistance for voluntary return or of compulsory return where someone has overstayed and has no right to remain, in the first instance this Government will always seek to ensure that there are appropriate reception arrangements for a person returning to a country of origin.

Lord Paddick (LD): My Lords, many of these young people have no memory of the countries that they are being deported to and no experience of living independently in those countries. Can the Minister imagine a teenage relative of his being deported to somewhere like Afghanistan to fend for themselves? Will he explain how this policy is justified?

Lord Keen of Elie: The majority of unaccompanied minor children making asylum applications are aged 16 or 17 years, have not been here for many years and have not lost contact with their country of origin. With regard to the country of origin, at least one-third of those making applications in 2015 were from either Albania or Afghanistan. In the circumstances where they volunteer to return, appropriate arrangements are made to assist them. Meetings with NGOs or

social workers are arranged for them, and they are given considerable assistance, equivalent to a maximum value of £1,500, if they go through the voluntary return procedure.

Baroness Hollins (CB): My Lords, adolescence is a pretty stressful and turbulent time for young people in any circumstances. Obviously, being unable to make plans for your future, and perhaps being terrified of being returned to your country of origin, will make your growing up a little more difficult. Can the Minister assure the House that young people facing deportation will have their mental health assessed, and that the state of their mental health will be taken into account before such a decision is finally made?

Lord Keen of Elie: Where an unaccompanied minor makes an application for leave to remain, they will be granted leave for at least 13 months or until they reach the age of 17 and a half. An assessment will then be made as to whether or not it would be reasonable to return them. Whether that involves a positive mental health check I cannot say, but I would be happy to write to the noble Baroness on that point.

Lord Elton (Con): My Lords, my noble friend assured the House that nobody would be returned unless the Home Office was assured that there were appropriate arrangements for reception. Can he please tell us the criteria by which the Home Office defines what is appropriate?

Lord Keen of Elie: The Home Office gathers evidence with regard to all potential countries of return from diverse sources before arriving at a conclusion as to whether the available evidence indicates that a person can be returned without risk of persecution or serious harm.

Baroness Farrington of Ribbleton (Lab): My Lords, will the Minister care to answer the question, which was about the criteria used, in writing? It would be extremely helpful for Members of the House to see the criteria used.

Lord Keen of Elie: I am not entirely clear what the noble Baroness refers to by way of the criteria, but I will consider what she has said and I will undertake to write if we are in a position to do so.

Lord Dholakia (LD): My Lords, what account is taken of in-country reports, particularly those produced by Amnesty International and Save the Children, before a person is deported to their country?

Lord Keen of Elie: I am very sorry, but I did not hear the question from the noble Lord. I apologise—it is my fault.

Lord Dholakia: I will repeat the question. What account is taken of in-country reports, particularly those produced by Amnesty International and Save the Children, before an individual is deported to their country of origin?

Lord Keen of Elie: The Home Office has regard to all in-country reports that are available to it before arriving at a conclusion with regard to individual countries.

Procedure Committee

Motion to Agree

3.06 pm

Moved by The Chairman of Committees

That the Report from the Committee, *Ballot for Oral Question Slots During Recesses, Tabling Oral Questions, Introduction of Private Members' Bills* (2nd Report, HL Paper 142) be agreed to.

The Chairman of Committees (Lord Laming): My Lords, the second report from the Procedure Committee covers three areas. They are all minor amendments that the committee hopes will be of assistance to your Lordships.

First, colleagues will recall that the House agreed a pilot of a ballot for Oral Questions slots that became available during the recent Christmas, February half-term and Easter Recesses. Since the report was agreed to, two further short recesses have been announced. This report proposes extending the ballot to cover those periods as well. I assure the House that the Procedure Committee will undertake a full review of the pilot before the Summer Recess, and the statistics gathered from these two further short recesses will of course inform that review.

Secondly, the report proposes that the limit of seven Oral Questions per Member should apply to each Session rather than to a calendar year from 1 May to 30 April. This brings it in line with other limits on how many times a Member may table certain items of business. If in future there is a particularly long Session, we of course expect to address any consequences of that. This change would take effect from the start of the next Session.

Thirdly, the committee reports its approval of a minor change to the timetable for introducing Private Members' Bills. From the next Session onwards, the ballot will be held on the day after State Opening, not on the day of State Opening. This will give the Public Bill Office a few more hours to ensure that all Bills are in order before the ballot. The deadline for entering the ballot remains the rise of the House on State Opening day. I beg to move.

Motion agreed.

House of Lords: Domestic Committees

Motion to Take Note

3.08 pm

Moved by Baroness Stowell of Beeston

That this House takes note of the report from the Leader's Group on Governance, *Governance of Domestic Committees in the House of Lords* (HL Paper 81).

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, last March, just before Parliament dissolved for the general election, I appointed a Leader's group to consider governance arrangements in the

House of Lords. I am very glad that it was not my last act as Leader. The group, chaired by my noble friend Lady Shephard, published its report in January this year. On behalf of the whole House, I take this opportunity to thank my noble friend and the other members of her group, all of whom brought an invaluable range of experience—of government, Parliament, business and beyond—to the task. I am pleased to see many of them in their places today.

As a House, we often—some noble Lords might say too often—debate our procedures, practices and composition, but how we take decisions on the services we provide to Members and the money we spend we look at far less. Indeed, the last significant changes in that regard were made well over a decade ago when the noble Lord, Lord Tordoff, set out the domestic committee structures in place today. Yet, in my first few months as Leader of the House, I sensed a growing appetite for us to seize the opportunity to examine our present structures.

In speaking to colleagues on the House Committee and to those who serve on other committees, as well as to colleagues across the House, the same questions kept coming up: whether our domestic committee structures were accountable or transparent enough, and whether it was sufficiently clear where decisions were ultimately being made. As those concerns grew, so we became united about the need to take a proper look at those decision-making processes and at how our domestic committees fit together to deliver the accountability and transparency required of any successful organisation.

Those were specific questions, able to be looked at in a focused way, and there was the shared desire to act upon them no matter who was in government after May. I was very confident about a Conservative Government returning after the general election but I was pleased that there was a unanimous view that, whoever was in power, this was an important task. That is why I set up the Leader's Group, with a remit drawn tightly around our domestic committees, confident that there would be the consensus to make progress with the resulting report, whoever the Leader was to whom it eventually reported. I am pleased to say that the group has set out a clear-sighted package of reforms, which I hope we can all get behind.

Just as the remit of the group was focused, I hope that this debate can be too. The group brought forward a specific set of recommendations to address a specific set of issues, and I want today to be an opportunity for noble Lords to discuss those recommendations and to set the course for the way forward.

For the benefit of those less familiar with our domestic committee structures, I should perhaps run through the present arrangements. These have the House Committee at the apex, as the body responsible for financial matters and setting strategic direction. It guides the work of the various domestic committees—Administration and Works, Refreshment, Information and Works of Art—as well as the House of Lords administration.

At this point I want to place on record my sincere thanks to, and respect for, all noble Lords who serve on those committees. The structure they operate within,

in theory, aims to separate the strategic from the logistical, leaving to the subordinate bodies the nuts and bolts of keeping the House running. But my noble friend's group found that in practice it does not work like that as often as it should. I am sure she will expand on that further in her remarks but, in outline, the group found a lack of clarity in the decision-making process between the committees. It found that responsibilities among the committees are blurred, with too many committees covering similar areas; in some cases the roles of committee members are unclear and there is not enough communication between the committees and the House as a whole. In short, the group outlined the need for more—more accountability, more effectiveness and more transparency—reflecting many of the same concerns that had been raised in setting up the review. It set out an effective blueprint, looking at structures, memberships and ways of working, to address those issues.

As to structures, the group's report calls for more clarity on remits and roles. In place of the present House Committee would be a newly refocused, although as yet untitled, senior committee, established to take a strategic, high-level approach at the head of the decision-making hierarchy. In place of the present cluster of domestic committees there would be only two: a services committee, dealing with administration, works, catering, retail and information services, and a finance committee to commission, examine and make recommendations on financial matters to the senior committee. These would be established as supporting committees, meaning that, instead of unclear responsibilities, there would be explicit delegations of powers and terms of reference, as well as the ability to refer strategic matters upwards. This would give clarity to staff and members, enabling them to take the decisions needed to drive forward priorities.

With the broad roles of these new finance and services committees, it is proposed that each has its own separate Back-Bench chair, both ultimately reporting to the Lord Speaker who would, as now, chair the senior committee. This in turn would allow the role of the Chairman of Committees to focus on the core proceedings of the House, deputising for the Lord Speaker on all matters and chairing the Procedure, Privileges, Selection and Liaison Committees. The Lord Chairman would remain a key link between the various strands of our work internally and, as such, would be a pivotal member of the senior committee. To reflect this reconfiguration, the report recommends that the Chairman should adopt a new title: senior deputy speaker. While I understand the case for this, and it may emerge as a day-to-day title, the House might like to note that to change it formally would require primary legislation.

The group also suggests two further adaptations to structures to make the Audit Committee a formal sub-committee of the senior committee and to redesignate the Works of Art Committee as an advisory panel reporting to the Lord Speaker, to reflect its specific and distinct role. Both, I believe, would add coherence to the structure overall.

On the second theme of membership, the group calls for a more focused approach. That means smaller committees of 10 members rather than 12 in most

cases, with Front Bench representatives able to give clear political direction but with Back-Benchers at their heart, including the new chairs of the services and finance committees, so that committees can draw upon dedicated and expert memberships. Interestingly, and for me importantly, the report also suggests the introduction of non-executive members on the senior committee, shining more light and bringing greater accountability to the decisions we make. Together with the broader structural reforms, I believe that these changes would set the stage for a new approach.

However, to take advantage of those changes the report also identifies a third, essential theme: a need to reform ways of working. That applies first and foremost to encouraging a collegiate approach among members of the committees, as well as among members and staff, but it applies also to ensuring that members take seriously their responsibility to keep their parties and groups, and the House as a whole, informed about their work on these committees, as well as to working closely with the other place. These behavioural changes will be just as important as those we make to our structures. Ultimately, a governance regime can be effective only if the people operating within it really want it to be.

As we begin the debate today, that is the key message. To fulfil our core purpose we must be able to give the public confidence in how we operate. That applies just as much to how we take decisions internally as it does to our core work as a revising Chamber. The group's report sets out a positive vision that works with the grain of our present approach, offering the potential for better engagement between members serving on domestic committees and the wider House, a more strategic approach to taking decisions, and a more effective framework for members and staff to work together to make changes for the better.

As I conclude, I thought I might set out where we go next. In reading the report, I was struck in particular by paragraph 62. It was emphatic that lying behind each of the examples of good governance the group saw was a clear commitment from all involved to making things work. For me, a crucial first step was for us to consider the recommendations properly. That is why, when this report was first published earlier this year, I wanted to ensure there was time for noble Lords to study it in detail and for it to be considered in party groups and the usual channels so that concerns might be brought forward. That way, when we brought the report forward to the House for discussion, we could be confident that its recommendations would command broad support.

I am extremely grateful to my counterparts from the other parties and groups for their support in that process and for joining me in supporting the recommendations that the group has outlined. I hope that other noble Lords share that enthusiasm today. Should they do so, we can move to the implementing phase. I will deal with the exact process that would follow in my concluding remarks, but noble Lords can be assured that the other party leaders and office holders, the Convener and the existing committees will be consulted. It will be during that phase that we can consider all the fine details. It will be then that we have the opportunity to take account of issues that are

[BARONESS STOWELL OF BEESTON]

raised this afternoon and elsewhere, and where the House will be invited to endorse the implementing proposals we bring forward. In the mean time, I look forward to hearing more from all those taking part today and to my noble friend's contribution, in which she will give more detail of the work of her group.

3.19 pm

Baroness Shephard of Northwold (Con): My Lords, I thank my noble friend the Leader of the House for her kind remarks and congratulate her on her initiative to introduce some practical and modest reforms to the domestic governance of this House. I give my warmest thanks to the noble Lords who served on the committee: the noble Baronesses, Lady Taylor, Lady McIntosh and Lady Doocey, and the noble Lords, Lord Kirkham and Lord Turnbull, many of whom are here today. We are all most grateful to our clerk, Judith Brooke, who was outstanding in every way, especially in her energy and attention to detail.

The committee was informed by a study of earlier reforms to the governance of this House, and I am pleased to see in his place today my noble friend Lord Hunt of Wirral. We met at least weekly, sometimes more, from June to December last year, and we decided from the outset to invite as much participation and comment as possible from noble Lords and from staff. We used *Red Benches*, emails to everyone, even posters in the corridors, and we were delighted and grateful to have the number of responses that resulted.

Many noble Lords and members of staff attended the regular drop-in sessions that we organised. Many also gave generously of their time to give oral evidence to the committee. We met the Lord Speaker and the Speaker, party and Cross-Bench group leaders, past and present officeholders and members of staff and colleagues from the other place. As a result, we received a huge amount of evidence and dozens of submissions.

As my noble friend has said, since the publication of the report committee members have presented its findings to their own party and Cross-Bench groups, where it has been positively received. I was also delighted to be invited to answer the questions of a well-attended meeting of the Cormack and Norton group, with again, I think, a largely positive reaction—I am bit hesitant but I think it was okay; yes, I am glad to say that my noble friend Lord Cormack is nodding enthusiastically.

We agree strongly with the remarks of the Leader of the House today. Given the accelerating change and increasing scrutiny affecting all public institutions, it is right that our much enlarged House should be concerned with the transparency and accountability of its decision-making processes. There is a self-evident need for ever closer working between the two Houses of Parliament given that—we were surprised by this statistic—64% of their total spend is already managed jointly. We were also mindful of course of the complexity of the restoration and renewal programme, where the interests of this House will need to be strongly represented.

We acknowledge the inherent constraints on governance and administrative systems in a political setting like the House of Lords. How often have we all

heard, “Why can't you do it as they do it at ICI?”? Well, there may be internal politics at ICI—I have no idea—but what we do know is that there are internal and external politics in a political setting like this, and some decisions have to be taken for political reasons. Clearly, there are unavoidable tensions between the parties, the two Houses, and the Front and Back Benches. Unlike in many large organisations with which we are sometimes unflatteringly compared, we have no control over our own size nor of the number of days that we sit. The support needed by noble Lords to fulfil their responsibilities varies enormously, as does their interest in governance matters. Some noble Lords have neither time nor inclination to engage in them; others are keenly interested and have much relevant experience and expertise to contribute.

Although our report strongly advocates change in a number of governance areas, we were struck by the way that goodwill on all sides of the House currently succeeds in supporting its work—which is important—even despite a less than satisfactory governance system. We hope that, if the main thrusts of our report are accepted, less time will have to be spent on working round the system and more on using it.

My noble friend the Leader of the House has outlined the main findings of the committee and the changes we recommend. All of us on the committee were struck by the extraordinary unanimity of the evidence we received. We have long experience in large organisations—we represent between us the worlds of business, government, the NHS, local government and voluntary sectors—but none of us has ever known quite such a uniform response.

My noble friend the Leader of the House summarised in her speech today the findings of the committee—that is, the areas where there was overwhelming consensus for change—and the reforms we recommended to effect that change. I emphasise again that our remit was modest. We were asked to examine the functioning of, and interaction between, the House Committee and the Administration and Works, Refreshment, Information and Works of Art Committees. We were not asked to look at the work of the Liaison, Procedure, Privileges and Conduct or Selection Committees, nor to comment on any other procedural matters, including conduct in the Chamber.

My noble friend divided the proposed reforms into three main areas, and I will comment briefly on each area. On reform to structures, the evidence received by the committee was overwhelmingly of the view that the current remits of the domestic committees are unclear. We were told that, on occasion, some issues may be considered by two or more committees, and those committees may have contradictory approaches. In such cases, staff had to prepare papers in different formats—but on the same issue—for the different committees. It turns out that printer ink is dealt with by one committee and printers are dealt with by another. Worse, one committee, after a great deal of thorough and good work, might take a decision only to find, because of the unclear remits, that that work and that decision is overturned by another committee. Our guiding principle should surely be accountability and transparency. The structure as it is too often delivers neither, and there has to be change.

We therefore propose that the new House Committee—we call it the senior committee and so I shall say “House Senior Committee”—should, as its first task, define its own terms of reference and report them to the House for ratification, making clear which decisions might need approval from the House. Thereafter, it should approve the terms of reference for the two new supporting committees, services and finance, and, most importantly, decide questions concerning delegations.

The establishment of a new services committee, which brings together all the services which support the work of noble Lords, would avoid confusing and time-wasting duplication and clarify accountability, as we also propose that the chair of that committee,

“should be the first port of call for ... questions or comments about services and facilities”.

The chair should also be accountable to the House for Oral Questions and Written Answers.

The job of the proposed new finance committee will be to do the groundwork on financial matters and to make recommendations to the House or senior committee, thus enabling that committee to make timely and appropriate strategic decisions. In turn, these proposals would allow the Chairman of Committees to concentrate on deputising for the Lord Speaker, focusing on the proceedings of the House and, of course, chairing the Procedure, Privileges, Selection and Liaison Committees. We thought that perhaps an appropriate title for this post would be senior deputy speaker, although I do not think that any of us want to wander down the path of legislating for this kind of change, and I hear what my noble friend says. We also propose that the very special and specialised role of the Works of Art Committee be recognised through making it an advisory panel reporting directly to the Lord Speaker. We were not asked formally to consider the role of the Audit Committee. Its members have different membership tenure from other domestic committees, but we did suggest that it become a formal sub-committee of the House or senior committee.

I turn to reforms to membership of committees and ways of working. The report lays out proposals for the membership of the new committees and, as importantly, strongly recommends that there should be two non-executive members of the House or senior committee, thus bringing decision-making in this House into line with the pattern we find in most large organisations. We also propose that members of all committees should be chosen for their expertise and experience of the work in hand. I am looking especially at the usual channels as I speak, but that is what we meant.

To encourage strong collaborative working between the senior House committee and the management board, we propose that the Select Committee format of meetings be abandoned in favour of a round table approach, and that there should be a detailed memorandum of understanding to specify which matters are delegated to the management board and which matters need endorsement by the House or senior committee. Moreover, the all-important matter of communication with noble Lords on committee decisions

must be tackled head on. We must know who to go to when there is a change in the car park. We never know and we need to know, so we have to have better communication for all noble Lords. One way of enhancing what is already done through *Red Benches* and emails would be to require committee members routinely to report back on discussions and decisions being taken to their party groups or the Cross-Bench group.

I hope that today noble Lords will judge that the committee took its work seriously. We did a thorough job and we made sensible and realistic proposals that we believe go with the grain of the way this House works. All of us have the interests of the House at heart and we strongly hope that our modest proposals find favour with your Lordships today.

3.33 pm

Baroness McIntosh of Hudnall (Lab): My Lords, it has been my experience in this House that the further down the speakers list one is placed, the less there is left to say and the danger of repetition therefore increases. Unfortunately, on this occasion the opposite appears to be the case. I have rarely been this high up the speakers list and found myself with so little left to say. That is because, of course, everything that needs to be said in respect of the Leader’s Group, of which I was privileged to be a member, has been put most eloquently, first, by the Leader of the House herself, to whom I add my thanks for allowing this debate to take place, and of course by the person to whom I should refer as the noble Baroness but who I would like to refer to as my noble friend, the noble Baroness, Lady Shephard. She has just set out the work of the group so comprehensively.

It was a huge privilege to be a member of the group and to work under the excellent chairmanship of the noble Baroness, Lady Shephard. Her qualities are well known in the House and so it will not be a surprise to anyone that she led our work with a winning combination of forensic thoroughness and absolutely irresistible charm. She has presented the report this afternoon with characteristic clarity. We were also lucky, as the noble Baroness, Lady Shephard, has already said, to have Judith Brooke as our clerk. Without her diligence and, I have to say, her elegant prose style, our task would have been a good deal harder.

I should say at the outset that I have served on several of the committees whose role we were charged with examining, including the House Committee, and I have a very high regard for the work that they do. However, as has been said, the need for review became clear as soon as we started taking evidence—which, as indeed has also already been said, we did over a number of months and in considerable detail. Everyone we spoke to, including representatives from almost every aspect of the work of the House, expressed significant concerns about current arrangements, albeit in a variety of ways—some of them quite pungent.

The recurring themes, as set out in our report, have been explained already by our chairman, so I shall not repeat them, but it really is hard to overemphasise the consistency of the messages that we received. It is always easier—and very human—to leave things as they are, particularly when there is no apparent crisis.

[BARONESS MCINTOSH OF HUDNALL]

Things get done: why meddle? But this is a critical time for Parliament—not just for the House of Lords but for the whole of Parliament. Trust is low, reputations are vulnerable. There are significant challenges ahead, not least the looming prospect of a major and extremely costly refurbishment of these buildings.

On the face of it, internal governance is not much on the minds of those who comment on what we do. But it has the potential to become much more so, especially if anything goes wrong. At present our arrangements are opaque and confusing, even to those actively involved. It is not easy to explain the governance systems clearly or to understand the lines of accountability.

The recommendations in the report are intended to provide clarity and coherence. They are not perfect; there are downsides—fewer committee places and challenges with the structuring and managing of the workloads of the new committees. As we say in the report, there is detail to be worked out and, of course, the noble Baroness the Leader has already told us that it is her intention, should the broad thrust of these recommendations be accepted, that that detail should be examined after this debate has concluded.

On balance, however, we in the Leader's Group felt that the possible disbenefits of our proposals were outweighed by the potential for a more streamlined, transparent and functional system within which the vital need for mutual trust and respect between what we might call, though somewhat inaccurately, the Executive, or the Administration, and what might be called, though equally inaccurately, the non-Executive, or the Members, which is addressed directly in recommendations 102 to 106, has a better chance of being met. This must be a goal worth seeking, limited as it may seem to some whose hearts and minds are set on more radical reform of the workings of your Lordships' House.

This report is significant but not revolutionary. I say this with all due respect to my colleagues—and indeed to myself—and not in any way to undervalue what it represents. Rather, I want to make the point that the changes it proposes are modest, incremental and intended to improve the working lives of all of us—Members of the House and the staff who support us so ably. It may not be perfect but it represents a bit of progress. I very much hope that the House will support it.

3.39 pm

Lord Wallace of Tankerness (LD): My Lords, I thank the Leader of the House for introducing this debate and setting out the background to the report from the Leader's Group on Governance, its recommendations and how she proposes to move forward. I also express thanks and appreciation to the Members of the Leader's Group who have done a very thorough job in a relatively short time. I particularly wish to pay tribute to the noble Baroness, Lady Shephard of Northwold, for her excellent chairing of the group, the clarity with which she set out the group's report to your Lordships' House today, and the example she gave of the lack of clear boundaries between committee responsibilities. That underlined the need for the work that has been done. I also thank my noble friend Lady Doocey, who

served on the group. She made great efforts to engage with colleagues on these Benches and ensured that our views were fed through to the work of the Leader's Group.

I very much welcome the report from the Leader's Group and I fully support its recommendations. As it clearly sets out, this House had changed considerably since the last time there was a thorough review of the domestic governance arrangements, conducted under the chairmanship of my noble friend Lord Tordoff in 2001-02. The House is busier, with more and more Members, who engage more regularly in the legislative responsibilities of the Chamber, which are rightly taken extremely seriously. There have been procedural innovations to ensure that more Members can participate fully in all aspects of the work of the House, such as the establishment of ad hoc Select Committees and of topical QSDs, which allow the Chamber to discuss issues that are currently relevant to the country in a timelier manner.

As the report points out, this has led to an increase in demands for services and facilities, which are necessary to ensure that the Members of this House can carry out their roles as legislators in a professional way. We cannot function as a proficient legislature, undertaking the serious work of scrutiny of the Executive, which is our primary role, without such help and support as IT support, a desk, the production and distribution of papers et cetera. This is also an important opportunity to thank all the members of staff—the clerks, the technicians, the catering staff, the cleaners—who work to support this House and its Members to ensure that we play our roles effectively and efficiently.

There is also, rightly, more scrutiny of this House than ever before. As we are an unelected Chamber, the public must be confident that our practices and procedures are as scrupulous as those in the House of Commons, if not more so. This extends not just to how we conduct our business in this Chamber, but to how we take decisions about the facilities and services that support aspects of work in the House. We have a responsibility to ensure that our internal arrangements are governed by best practice, that our financial decisions are underpinned by best value, and that we are open, transparent and accountable.

I was struck by two contradictory thoughts when looking back at the work conducted some 15 years ago under the chairmanship of my noble friend Lord Tordoff. On the one hand, progress has clearly been made in tackling some of the internal difficulties that the House faced then. It has been some time since Members felt it necessary to raise any great dissatisfaction with the delivery of services or internal governance directly on the Floor of the House. On the other hand, the issues raised in my noble friend's review regarding communication, consultation, and clarity of roles and decision-making are still recognisable today. It is disappointing that the ambitions expressed by the review have still not been realised. In particular, the objective set out in paragraph 52 of that report—

“The fundamental objective of our suggestions is that Members of the House should be able to influence decision-making on the services and facilities that they enjoy. Views should be expressed at the beginning of the process, not at the end”—

still has not come to fruition. The role of the domestic committees as “user groups”, canvassing the views of Members and providing a vital channel of communication for Members to make complaints or suggestions about the services, has, I believe, not been realised. Therefore, I was, and remain, fully supportive of the decision of the noble Baroness the Leader of the House to establish this group to review the governance arrangements.

As well as the informal consultations that my noble friend Lady Doocey conducted among Members on these Benches, I initiated a discussion at a group meeting to enable colleagues to air their views on domestic governance arrangements in your Lordships’ House. The view of my colleagues was very much that a radical overhaul of the domestic committees is needed, including the House Committee. Colleagues felt that there needs to be more transparency in how the business of the domestic committees is conducted, and they were keen to see a fundamental change of culture and attitude in the committees, with new ways of working and support being given for new and innovative ideas.

I was therefore pleased, although not wholly surprised, to see some of these concerns well reflected in the report from the Leader’s Group. It is clear, as has been echoed in comments that have already been made about the unanimity of views expressed to the group, that the issues are not just of concern to Members of my own party, but felt right across the House. In my view, the recommendations contained in the report give us an opportunity to start afresh. As I indicated, I fully support the recommendations. I believe that the new structure proposed in the report resolves some of the issues that have been of most concern to Members. Having a strong senior committee, responsible for developing, setting and approving the strategic, business and financial direction of the House administration, will ensure that there is appropriate, high-level oversight of the running of your Lordships’ House.

A particular concern of mine during my time as a member of the House Committee is that I was not always confident that its strategic aims filtered through to the numerous domestic committees to ensure that the decisions then taken by those committees reflected the overarching objectives of the House Committee. I am pleased to see the recommendation from the Leader’s Group that the chairs of both the finance and services supporting committees should also be members of the senior committee. This will be vital to tie the work of the supporting committees into the work of the senior committee, and to ensure the flow of information in both directions.

I also agree with the conclusion of the group that there need to be clearly defined terms of reference for the domestic committees, and clearly defined reporting structures and relationships between them. I am hopeful that with fewer domestic committees, as the report suggests, it will be easier to establish who has responsibility for what, and that the many decisions taken to ensure the smooth and effective running of this House are taken at the appropriate level. I also approve of the recommendation to encourage greater sharing of working practices between senior administrative staff and Members of the House. As the noble Baroness, Lady Shephard, reflected, the committee should not approach its work

as a Select Committee, even down to the seating arrangements. I do not think I am giving away any secrets if I say that the Joint Committee on the Palace of Westminster took a view very early on that we should not operate as a Select Committee but more like a board. Those of us who have served on that committee believe that has worked well.

My noble friend Lady Maddock will seek some clarification on the position of the Works of Art Committee, which she so ably chairs. This is an important committee, particularly in its role in ensuring a historical record of this House for future generations. It is important that we reflect on that committee’s views.

I recognise, as the report itself does, that the proposed new structures impact upon the duties of the Lord Speaker and the Chair of Committees. As has been said, the Chair of Committees will continue to chair, amongst other committees, those relating to the procedures of this House: the Liaison Committee, the Committee of Selection and the Committee for Privileges and Conduct. These are essential to how we operate as a House, and our reputation in the country. However, in light of the recommendations, the Chair of Committees will not chair as many committees as they did previously. I therefore ask the noble Baroness, the Leader of the House, whether she intends to take forward the suggestion in the report that the remuneration attached to the post of Chair of Committees should be reviewed. I probably share the view that a proper name will evolve and we will find it without having to go down the path of primary legislation. Given the status of the Chair of Committees—or senior deputy speaker or whatever—and of the chair of the European Union Committee, and the fact that significant salaries are attached to both, it is my personal view that they should be elected by the whole House in the same way that the Lord Speaker is.

I absolutely agree with the view expressed by the group that new ways of working are fundamental to the success of the new committee structures. For Members to be confident that the new committees are working on their behalf, there must be better communication, innovative working practices and a willingness to embrace ideas and suggestions from Members across the House. Although much of this challenge will rest on the shoulders of the chairs of the new committees, it will be incumbent upon all their members to embrace that philosophy and take it forward. I therefore hope that the leaders of the respective parties, and the Convenor of the Cross Benches, will recommend individuals for membership of these committees, bearing in mind the requirements of membership.

It was a particular honour and privilege for me to serve as Deputy Leader of this House during the latter stages of the coalition Government. I am therefore mindful that one’s responsibility, as the leader of a political party, is not just to one’s own Benches but to the House as a whole. That responsibility is to ensure that how we conduct ourselves conforms to the highest standards of propriety. I therefore conclude by saying that I look forward to taking up my responsibilities as an *ex officio* member of the new senior committee, and I wholeheartedly endorse the recommendations of the Leader’s Group on Governance.

3.49 pm

Lord Hope of Craighead (CB): My Lords, I also thank the noble Baroness the Leader of the House for initiating this debate and congratulate the noble Baroness, Lady Shephard of Northwold, and the other members of her group—including the noble Lord, Lord Turnbull, from these Benches, who unfortunately cannot be here this afternoon—on their helpful and constructive report. I congratulate the noble Baroness on the compelling way in which she presented the report and the reasons for the conclusions that were reached.

At first sight, this is perhaps not the most exciting topic for a debate, but keeping our systems for organising how this place is run effective and up to date is a matter of first importance. I am very glad we have been given this opportunity to discuss what the report recommends. I am sure that both the Leader and the noble Baroness, Lady Shephard, will be encouraged by the number of noble Lords who have remained in their places to listen to their speeches and, indeed, will be present for the rest of the debate.

I think one must have a basis of knowledge and experience to subject a report of this kind to constructive criticism. I am very conscious that I am a relative newcomer to the work of the domestic committees. It was not the practice for the Lords of Appeal in Ordinary to be asked to serve on them when I was serving here as a Law Lord. Then, for four years, on moving to the Supreme Court as its Deputy President, I was disqualified from taking any part in the work of the House and my interest in what was going on here diminished accordingly. My disqualification was lifted in July 2013, after my retirement from the court, and suddenly, on taking up the post of Convenor last October, I found myself a member ex officio of two of the committees concerned with the governance of the House—the House Committee and the Administration and Works Committee—as well as of the Procedure Committee and the Privileges and Conduct Committee, with whose work the report is not concerned. So I have that advantage. I follow the noble and learned Lord, Lord Wallace of Tankerness, in expressing my admiration for the work of the committees of which I now find myself a member and all those who contribute to their discussions.

As I am not a member of the three other domestic committees—the Refreshment, Information and Works of Art Committees—I have no first-hand experience of their work; nor do I have any experience of their work at second hand as, unless I am very much mistaken, there are no arrangements for the work of these other committees to be subjected to regular scrutiny by the House Committee, as the governance structure in figure 1 on page 9 of the report suggests it ought to be. I may not have been paying attention. If that is the case, I apologise, but I simply cannot recall the kind of communication between these committees in either direction that one might have expected. During my time on the House Committee I have not had to consider anything about the works of art with which that committee is concerned.

I have no doubt that the officials on whom we depend so much for what goes on in this Building are well in touch with each other, and that the high quality

of their work is not affected at all by any defects that may have been drawn attention to in the noble Baroness's report. But my experience suggests that there is a lack of clarity about how the committees should work with each other and the roles of the Members who serve on them. Given my experience, I do not require much persuasion that there is a real problem here that demands our attention.

Another feature that perhaps should be stressed is the relationship with the House of Commons. I have become aware through my membership of the House Committee of what is going on in the House of Commons. About two-thirds of our services are shared and, as the report points out, there is a growing need for a sense of cohesion and shared purpose between the two Houses. Those who serve on the House Committee at least are very much aware of this and of the work that is being done to achieve this where it is in our interests to do so. The main driver for this, no doubt, is the need to achieve efficiency savings right across the board in public expenditure, but working together is not just about saving money; the increased efficiency that it brings is a virtue in itself.

The recently introduced governance structure in the House of Commons, which is set out in figure 2 on page 12 of the report, has been designed in the interests of efficiency. In comparison with what the other place now has, our governance structure does look rather out of date. I agree with the report that greater clarity is needed, especially about the role of the senior committee. I do not think we should copy precisely what goes on in the other place but I agree with the report that greater similarity between the overall structures of our respective domestic committee systems is desirable. That should make the process of decision-making in the areas of shared and joint services simpler and easier to achieve. I also welcome the recommendation that the work of the senior committee should be supported by two non-executive members with suitable boardroom experience. In an increasingly complex world, we need to keep pace with the outside world in how the managerial functions of such a body are and should be conducted.

Lastly I welcome, too, the emphasis on the need for behavioural changes on the round-table approach to our meetings. Rather like the noble and learned Lord, Lord Wallace, I do not think I am giving away a secret when I say that at the last meeting of the House Committee, which was chaired by the Lord Speaker, we were shown how those could work effectively. We were invited to the River Room and served with biscuits and tea, as we sat around a table with a white tablecloth to discuss the business of the committee. It was a welcome change and, perhaps, an example of what can be achieved to make our discussions a little more friendly and constructive.

In principle, therefore, I agree that the structure recommended in this report should be implemented. I hope this can be done without delay but I should like to mention a number of points of detail. They are concerned with what the Leader of the House referred to as the next phase. For that reason, they are matters not fully set out in the report but I suggest that we need to give careful attention to what lies ahead and I offer these thoughts with that in mind.

First, I have some questions about structure and timing. Reference is made in paragraphs 64 to 69 of the report to the need for clarity in delegation and the setting of targets. I of course welcome the emphasis on both. The first task of the senior committee is to be for it to define its terms of reference and report them to the House for ratification. Only after that has happened, it seems, can the terms of reference of the supporting committees be approved and the appropriate delegations take place. This sounds very sensible but how is it to work in practice? Which committee is to be set up first? I assume it will be the senior committee, as the services committees cannot start work until their terms of reference have been worked out for them—and that cannot happen until the senior committee's terms of reference have been ratified.

If I am right about this, however, the phasing of the transfer of responsibility from the old committees to the new will require careful planning. The existing committees will have to remain in being until the committees to which they will transfer their responsibilities have been established. We must remember that we are talking here about real people and the contribution our Members, from all groups, make to the running of the House. The work of the officials will no doubt go on as normal but for the Members it is different, as the scrutiny committees on which they serve are created or cease to exist. In their interests I ask: what is the timing to look like? Can each of the committees be given a business plan for this, so that the whole process is completely understood and properly co-ordinated?

Then there are the criteria for appointments, to which paragraph 88 of the report refers. I see merit in the proposal that there should be more stringent criteria for nomination and that the chairs of the two supporting committees should have an input into that process but here, too, there are questions about timing. When and how are the chairs of these committees to be appointed? As they are to be members of the senior committee as well, it would seem that they need to be identified and appointed at the outset, when that committee is being set up. But for the recommended process to make sense it would seem that their appointments should precede the nomination of the other members of their respective committees. Is that what is intended?

It would seem to follow, too, that they would need to be appointed before the terms of reference of their respective committees have been worked out and that they should be able to contribute to that process. That would seem a sensible way of dealing with the matter but, again, is this what is intended?

Lastly, I suggest that we need a little more clarity as to who is to take on the responsibility of presenting the reports to the House from the domestic committees when the post of Chairman of Committees—whose present holder does such an excellent job under our current arrangements—is brought to an end, as recommended in paragraph 70. In that paragraph, it is said that the holder of the new post—let us call him the senior deputy speaker—should concentrate on areas of procedure and conduct. But if that is to be so, who will be answerable to the House for the work of the other committees—the senior committee and the services committees? I suppose the chairs of the services

committees should fulfil that role in their individual cases, but at least one of these chairs is likely to come from the party groups. What about the senior committee, which most of all needs someone to speak in the House on its behalf?

At first sight, the choice would seem to lie between the senior deputy speaker and the Lord Speaker, but of course under our current arrangements the Lord Speaker does not have a speaking role. It was otherwise when we had a Lord Chancellor—I remember very well debates being conducted with great skill from the Woolsack—but those days are past and it may very well be a step too far for the Lord Speaker to assume the responsibility of speaking on behalf of these committees. Does this then mean that the responsibility for answering for the work of the committees should be given to the senior deputy speaker? If it is, following the comment of the noble and learned Lord, Lord Wallace, would that affect the salary that that post might be expected to attract?

I throw these points out for further thought, well understanding that the Leader is not in a position to provide answers to them. It suggests, however, that a great deal of thought is still needed, and discussions will no doubt take place to find proper answers. I am sorry to have detained your Lordships for so long with these points. This afternoon we are really looking at the recommendations in principle, and I offer from these Benches my support for what the report has recommended to us.

4.02 pm

Lord Fowler (Con): My Lords, it is a great pleasure to follow the noble and learned Lord, Lord Hope of Craighead. I particularly agreed with the point that he made on the working relationship between the two Houses, which I will come to.

I will be very brief. I very much support this report and congratulate my noble friend Lady Shephard and all her colleagues on the substantial work that has gone into this over a six-month period. It is precisely work such as this that too often, and quite wrongly, goes unnoticed outside this House. Perhaps not even everyone inside this House is interested in the governance of services and facilities—at least not until something goes wrong or we are confronted with an issue, such as the future of this building, that we can scarcely avoid. As the noble Baroness, Lady McIntosh of Hudnall, said, this is a crucial time and we should regard it as such with the kinds of decisions that we all know are coming up.

I will concentrate on two underlying themes in the report: the mystery that surrounds some committees, and the difficulties in consultation and accountability to Members generally. At paragraph 33, the report states:

“The operations of domestic committees appeared shrouded in mystery to many members who had not served on them”;

and, not surprisingly, that some Members complained about “insufficient accountability” to the House. Perhaps I may give an example of both the difficulties and the solution from a committee which is not part of this review, because it comes under procedure, but which nevertheless illustrates the point exactly.

[LORD FOWLER]

Ten years ago, a number of colleagues and I wanted to set up a communications select committee. We were summoned to a meeting of the Liaison Committee to put our case. I for one had never come across the Liaison Committee—indeed, I am not altogether sure that I knew there was a Liaison Committee. Having met it, it seemed to me that its main function was to knock down the bright ideas of Back-Benchers—which, I am bound to say, it duly did. However—this was the instructive part—the committee was required to report to the House. It was up to the House to approve.

It became clear that in the preparation of the report, at the very last moment, unknown to us, the then chairman of the Culture Select Committee in the other place had submitted a letter which said, roughly: “Keep off our pitch. These are not matters for the likes of you”. Frankly, all I had to do at that stage was to read out the letter. The House rose as one and the committee’s recommendations were totally overruled. In celebration of the letter without which we would not have succeeded, we subtitled the new committee the Whittingdale committee, for it was John Whittingdale who had signed the letter. Given some of the later reports of our committee, in his new role as Secretary of State, he probably feels that his reservations were entirely justified.

The point is this. Without accountability to the House built into the system, the proposal of a committee shrouded in mystery would have held sway. What is important is to ensure that there is utmost transparency and a route whereby Members of this House can have their say. As the committee states, the best way to ensure that is to have a structure which is as clear and straightforward as it possibly can be. For my money, the organisation set out on page 20 achieves that.

I know that there are questions about the position—indeed, the title—of the Chairman of Committees, and we all know the recent problems, but we should acknowledge that it has been a role, certainly during my time in the House, carried out by noble Lords with extreme distinction, as it has by the noble Lord, Lord Laming, when he generously stepped into the breach. It seems to me that there will be a small gap before this part—certainly the title of this part—of the report is implemented. We might also want to see the result of the referendum and how the title of chair of the European Union Committee fits in to that.

I just point out two further points. The first is the previous report of the noble Lord, Lord Tordoff, and his later review, together with my noble friend Lord Hunt. They had intended the domestic committees to act as user groups. Committee members were expected to report to their party groups on the activities of their committees and then feed back their views to the relevant committee. That is an extremely good idea but, frankly, it has not happened. Indeed, many committee members were unaware that that was expected. If that is what we want—I suggest that it is—we must, as the report suggests, make the role of committee members extremely clear.

The second point I pick out is a very basic one. Members of committees in this House are both Members of the House and, often, clients for the services provided.

Decisions involve the use of public funds, and it is important that there should be no perception of conflict of interest. Therefore, good non-executive directors would have an important role here. My guess would be that we would have no difficulty in recruiting some very good men and women. All my experience as chairman of four or five companies is that the role of the non-executive is vastly important and essential for this House, if we are to demonstrate outside the importance that we place on that.

When I was reading the report, I was struck—this point was made by the noble and learned Lord, Lord Hope—by the amount of joint working in services between the two Houses. In so many ways, we are 200 yards from each other but operating in different worlds with, at times, little knowledge of what is happening in the other world. That was certainly my experience and, I think, that of many others when we were in the House of Commons, so it is undoubtedly good news that about two-thirds of the resources of the two Houses is already spent on shared services. The committee now reports other areas of shared services, such as *Hansard*, internal audit and several others. Of course, the really big issue for joint decision is the restoration and renewal programme, which involves a decision of immense importance and an immense amount of money. For a Member like me, who has worked in the Palace of Westminster for the last 45 years, it is particularly difficult, but I am only glad that we will have the guidance of a Joint Committee, which will be reporting on the position and which I hope and know will maintain the interests of the House of Lords.

On one last point, looking down from above, the late Lord Roper would not forgive me if I did not mention the position of the Library. Like me, he thought it rather eccentric that we had two different Library organisations; like me, he benefited from the exceptional service we received in the Commons and Lords alike and, like me, he totally supported the staff here in the service that they give. What we missed, and miss, was the ability we had to phone an undoubted specialist in something like social security to explain an apparently unintelligible measure in words that could be understood. They were truly excellent—and we need to look at that particular area. I realise that I could be accused of some bias here in that my wife worked as a clerk in the Library department for many years, in the House of Commons, just like the noble Baroness, Lady Andrews—they worked together. But there is a potential for an increase in service to the benefit of everyone concerned.

The report is excellent and first class. I congratulate my noble friend and the other members of the committee and hope, above all, that it will be implemented in the new Session.

4.11 pm

Baroness Cohen of Pimlico (Lab): My Lords, almost everybody in this House has an interest in governance, and many noble Lords have served on the various committees, but perhaps I should declare a particular sectarian interest as the chairman of the House of Lords Audit Committee who is also invited to attend

meetings of the House Committee so that I can see its works. I join fellow Members of the House in welcoming the report. It is proportionate, sensible, beautifully written and well organised—but it has one outstanding problem in relation to the place of the chairman of the Audit Committee.

My Audit Committee and I gave written evidence to the Leader's committee, in which we advised that, given the importance of audit and the unanimous practice in private and public sectors, the chairman of the Audit Committee should have a seat rather than a guest place on the top committee—on the main board, as it were. As the Leader of the House said in her opening speech, the report accepted the importance of the role of audit but recommended that the chairman of the Audit Committee should be an extra member of the new finance sub-committee rather than being a member of the new senior committee, and should not have a seat on the new senior committee.

As I am sure noble Lords are aware, we will deal with a budget of £100 million plus over the next five years, rising to uncontrollable and unseeable amounts when finally we come to restoration and renewal. I say “uncontrollable” because I think that it will be very difficult to stick to the figures that are suggested. The budget will increase exponentially in 2020 when we come to the restoration and renewal programme. The control, of which a formal audit is a key element, of that amount of public money, is critical. I and my Audit Committee in this House have to be represented on the senior committee. We have great difficulty in finding anywhere where the Audit Committee is not on the senior committee, and the five members of the Audit Committee have all served everywhere in the private and public sectors. I should make it clear that this is not a personal bid for world domination via a place on the senior committee—although I can think of worse places to start. What we propose is that the Audit Committee should not only report to but be chaired by a member of the senior committee.

The report postulates a 10-person board containing four Back-Bench Members, two of whom, while not exactly spare, would not be chairing the new finance committee and the new services committee. There would therefore be two Back-Bench Members without specific duties and two new committee members recruited from outside. I welcome this proposal particularly, by the way; I have two outsiders on my Audit Committee and they are both absolutely invaluable, with their wide experience of other places. Any of those four could be chairman of the Audit Committee. Indeed, since the changes to the House of Commons administration, one of the two outside appointees, Dame Janet Gaymer, chairs its Audit Committee and is on its new main board.

I very much welcome this report on governance—which, as my noble friend Lady McIntosh said, is not revolutionary but evolutionary. Otherwise, I feel that we have got pretty much everything right, so it would be a shame to miss the opportunity to go all the way in conforming to public and private sector practice and ensuring the scrutiny of £100 million-plus—and much more in the years to come—in the way that the private sector and most of the public sector do, and in the way

that the House of Commons does, by having the Audit Committee chaired by a member of the senior committee who also sits on that committee. When we come to consider the recommendations of the report, I hope that this view can be taken into account.

4.16 pm

Baroness Doocey (LD): My Lords, I was very pleased to serve on the Leader's Group on Governance. It is a great tribute to the superb chairing skills of the noble Baroness, Lady Shephard, that any observer attending our meetings would never have realised that all the members sitting round the table were from different political persuasions because we operated very much as a close-knit team all rowing in the same direction.

I will confine my remarks to recommendations 3 to 5, which deal with the domestic committees. The evidence that we received, from a wide range of individuals, had a common theme in lamenting the inadequacies of the current committee structure. Recommendation 3 puts the present position pithily:

“The current governance arrangements do not meet standards of best practice”.

For me, the current position was best summed up by a senior Member of the House who said in his evidence that,

“the remits of the domestic committees are grossly unhelpful. It is possible for two committees to be operating legitimately within their own sphere of influence and to be pulling in different directions”.

I experienced this first-hand when I served on the Refreshment Committee for nearly three years, although it seemed more like 30. It was quite unlike any private or public sector committee that I had ever experienced. The role of its members was seen as to note and to consider but seldom to take decisions. I recently looked back at my Refreshment Committee papers and found that out of 20 that I reviewed at random, just four asked the committee to make a decision. In addition, on the occasions when decisions were made, they could be overturned by other committees that had had no involvement in the discussions that led to the original decision. We received evidence of similar experiences from members of other committees. A by-product of the frustration that that causes is a lack of collective responsibility by Members for decisions taken on the committees on which they sit. With responsibility so diffused, it is hard to get anyone to own difficult decisions when they are taken.

The structure that we are proposing should ensure that all parts of the House and the administration talk to each other and work as a close-knit team, that decisions have widespread support in the House, and that Members who serve on the domestic committees will be have a more effective voice. We believe that the clearer terms of reference for the two committees will result in many more Members wishing to serve. The job should be seen as requiring just as much time and dedication as serving on a policy-based Select Committee. There will need to be much greater emphasis on reporting back and on ensuring that those serving on committees consult their colleagues in order to represent their views. We have suggested that the committees themselves should determine how this is done, but communication is crucial.

[BARONESS DOOCEY]

Our key concern throughout has been to recommend a structure that will be effective, transparent and accountable. We seek a 21st-century system in which staff are empowered and supported to take what are sometimes difficult decisions and make difficult recommendations, with clear, cohesive Member oversight. Our recommendations fulfil these criteria, and I strongly commend them to the House.

4.20 pm

The Earl of Kinnoull (CB): My Lords, it is a great pleasure to follow the noble Baroness, Lady Doocey. It is the sign of a good debate when one's speaking notes are a morass of changes and notes, because everyone has made some good points already. I, too, congratulate warmly the noble Baroness, Lady Shephard, and her whole committee, on what I found a very clear and brief report that was full of wisdom.

In my 25 years at Hiscox, which is a FTSE 250 company, I spent, inter alia, a decent period as the group company secretary. Hiscox at the time operated in more than 10 countries, with regulated entities in all those countries and with independent non-executive directors, both at the senior board level and on a number of operating levels. I can assure noble Lords that the organigram of the group was at least as complicated as that of our committee structure here in the House. Things similar to that marvellous story about the printing ink probably happened—I have a nasty feeling that I might have been part of that story as well, but that is for another time. On top of that, the senior independent director at the time was also the dean of the Cass Business School, so we were doing things properly. I therefore thought it would be helpful to the House to look at the report with the eyes of FTSE corporate governance. I accept entirely what the noble Baroness, Lady Shephard, said. It is only persuasive authority and we cannot follow corporate governance slavishly, but I thought it would be instructive. I came up with four points.

The first point is to do with evolution, which a number of noble Lords have mentioned. I note that the corporate governance code in Britain started with the Cadbury committee in 1992, and the current corporate governance code, which came into force in September 2014, is the fifth iteration. That just goes to show how we should view this as an iterative step on our own journey to corporate governance over what will be many years.

My second point is to do with the number of independent non-executive directors that the senior committee will have. I feel that two is not enough, for three reasons. First, we will need a balance of skills on this committee; we need to pick carefully, and not all the skills needed will necessarily easily be found in only two people. Secondly—and speaking as someone who is a non-executive when occasionally there are not many other non-executives around—you need to have at least two non-executives along to each meeting. There is a danger that there would be only one because someone could not make it. Thirdly, non-executives take a very long time to train up. At Hiscox we felt that it took about two years for a non-executive to understand the entity, and I dare say that it would take

at least that here. Accordingly, our experience bank would be pretty overdrawn if we lost either of the non-executives at any one time. Therefore I recommend that that number is increased to three or four.

My third point concerns board evaluation. This process was coming in as I was the company secretary, and I was initially quite a sceptic. However, I am now a comprehensive convert, and I believe that board evaluation would be extremely valuable on at least the senior committee and a number of the other committees as well. The second main principle of the *UK Corporate Governance Code* of September 2014 is effectiveness. It says:

“The board should undertake a formal and rigorous annual evaluation of its own performance and that of its committees and individual directors”.

That is a very good way of attempting to deal with known problems or allowing unknown problems to surface. I am not necessarily in favour of a huge, very time-consuming exercise. It is quite possible to do such an evaluation on an internal basis, with each member of a committee spending only an hour or so on it. Obviously the chairman would have to spend more time on it, as would someone whom I call the governance secretary, about which more in a second.

Paragraph 48 of the report worried me. It says:

“We conclude that relationships between members and staff could be improved”.

That is a Gypsy's warning, and a board evaluation process is one part of trying to deal with that. I strongly urge that a board evaluation process is considered.

My final point concerns the creation of a governance secretary. The governance bit of a company secretary's work is only part of the role but it is very important. To me, it was the most interesting part. There are a number of things that the governance secretary would have to do. First, for instance, there would need to be an induction programme for every member to find out about the committee, even if it involved only providing some documents. Secondly, there would need to be some sort of search process for replacements on the committee. Thirdly, there is the board evaluation, which I have just mentioned. So such a person would be needed for a number of reasons. He or she would also be needed as a “go to” person. If the chairman had a question about governance, he would need to ask someone for help. The same would go for any of the members of the committees, and indeed for anybody who was interested in the work of the committees from a governance point of view. I think that it is a part-time role—I am sure that it could be folded into the work of the Clerk of the Parliaments' busy staff—but it would be greatly to the benefit of governance improvement.

All those points notwithstanding, on our iterative road of evolution, I think that the report is truly excellent and I hope that the changes it seeks will be implemented rapidly.

4.27 pm

Lord Cormack (Con): My Lords, the noble Earl, Lord Kinnoull, always makes very pertinent and constructive suggestions, and we have had a very good example of that this afternoon. I begin, as have others,

by thanking my noble friend the Leader of the House for initiating the debate and for the manner in which she did so, and of course I particularly thank my noble friend Lady Shephard of Northwold, who gave us an exemplary précis of her report. It was clear and concise, and it illustrated the underlying wisdom with which she and her colleagues approached a very difficult task. She was quite right in interpreting my vigorous nods as indicating that the Campaign for an Effective Second Chamber, which I have the honour to chair, produced a very good turnout for her meeting, and there was a great degree of consensus in welcoming the report and the good sense of its recommendations.

One problem with your Lordships' House is that how it operates is a bit of a mystery. I often think of those words of Churchill in a very different context: it is a riddle wrapped up in an enigma. I feel it is important that we shine some light not just on what we do but on how we do it, and perhaps I may give a specific example. A few months ago, we suddenly noticed ladies and gentlemen with cameras walking around the place. I lost count of the number of times I was asked, "How did this come about?". Indeed, the gentlemen with cameras and the producers came to the Campaign for an Effective Second Chamber for what was an extremely constructive meeting. I make no criticism of the fact that the decision was taken, but many Members of your Lordships' House were in ignorance of it. That in itself illustrates a certain fault line in the way in which things are decided. I believe that the recommendations of my noble friend Lady Shephard of Northwold and her committee would help very much in that regard.

Before I make a few general comments, I would like to make two specific ones. First, I do not want to go down the road of primary legislation, and am glad that my noble friend Lady Shephard does not want to either. If that is necessary to change the title of Chairmen of Committees, then I think we should put that to one side. We can always have a rider that says, "The Chairman of Committees, who will act as Senior Deputy Speaker"—that can easily be done and does not need legislation. The last thing we want to do is to give the impression that we are going in for navel-gazing legislation at a time when the public's mind is on rather more important things.

The second specific point is this. I had the great honour to be chairman of the Speaker's Advisory Committee on Works of Art in another place for some 14 years. I did my three years on the Works of Art Committee here under the chairmanship of the late lamented, much-respected Lord Luke and then in the initial meetings taken by the noble Baroness, Lady Maddock, who is doing an excellent job. I believe that the recommendation in the report that this should be an advisory committee to the Lord Speaker has a great deal to commend it, not least because when people with a great knowledge and interest in a subject such as works of art are appointed, it is a pity if their time is limited to three years. On an advisory committee, that would not necessarily apply. Therefore, I welcome that recommendation very warmly.

My noble friend Lady Shephard, in her admirable introduction, referred to tensions. There are, of course, tensions in this House and in another place, which

stem from the single simple fact that, in our system, the Executive are drawn from the legislature. So there are tensions between Front and Back Benches on both sides of the House, very apparent at the moment in various ways but I will not amplify on that, and between the two sides. One finds that especially in another place—the elected House; the superior House—although it does spill over here a bit. It is crucial that we recognise that, just as we recognise how important it is that our two Houses should work more closely together. I endorse everything that my noble friend Lord Fowler said in that context, and very much hope that if we do adopt these recommendations, which I hope we will, they will lead to a greater understanding between the two Houses and a greater understanding of the need and importance of common services—my noble friend Lord Fowler referred to the Library specifically in that context.

It is very sad indeed that not only the mechanism of your Lordships' House but what it exists for and what it does are not sufficiently known in another place. The more that we can work together through Joint Committees, and the more that we can understand each other's procedures, the better it is for parliamentary government. The better it is also for the principal purpose of Parliament, which is to hold the Government to account. We have said in different debates recently that it is the Government who are accountable to Parliament and not the other way round. That is of fundamental importance.

While it is, of course, necessary to have the usual channels—I was part of them myself alongside my noble friend Lady Shephard for some years and it was a very agreeable experience—I always remember the famous Enoch Powell definition of the usual channels as being the most polluted waterways in Europe. That does not of course apply to the wonderful distilled water in the usual channels in your Lordships' House, but it is important that too much power should not be exercised by the Executive or the opposition Front Bench, directly or indirectly, in the way in which committees are chosen. In another place—this is since I left—they have shown us that the election of chairmen and members of Select Committees has not brought the House of Commons crashing down. It would be sensible, if we are to have these more representative committees, if there were at least elections within the party groups deciding who should serve on them—I commend that particularly to my noble friend the Leader of the House.

I often think, as I am sure do other noble Lords, of the 18th century and Dunning's Motion in the other place that,

"the influence of the Crown has increased, is increasing, and ought to be diminished".

That applies to the Executive in 2016. Our structure of governance has an important role in ensuring that we are a vibrant House with a real contribution to make to the legislative process. We can do this more effectively if there is greater understanding across the House of the way in which we operate and greater support for it.

I hope that from today's debate we will move forward towards implementation, but we have to take into account points made not only by the noble Earl, Lord

[LORD CORMACK]

Kinnoull, who preceded me, but by the noble and learned Lord, Lord Hope of Craighead, who made a characteristically wise speech indicating that there are t's to be crossed and i's to be dotted as we work out precisely how we do this. However, my noble friend and her committee have given us an admirable blueprint. It is incumbent on us all to do whatever we can to ensure that it is properly and constructively implemented, because—and I go back to the title of the group that I have the honour to chair—this way lies the creation of an even more effective second Chamber, and that is what we should all be about.

4.38 pm

Lord Haskel (Lab): My Lords, I add my thanks to those offered to the noble Baroness, Lady Shephard, and her committee for their report and congratulate them on it. A review of our governance is certainly long overdue and I agree with virtually all its recommendations. I particularly welcomed the opportunities the committee created to give evidence informally, which I think produced evidence from many people who would otherwise have kept silent.

The noble Baroness, Lady Shephard, and others spoke of the need for clarity in the way we are managed and governed. I agree. This will certainly help those involved in outreach who have to explain the practice of deciding many things “through the usual channels”, which is very opaque and hard to explain, as the noble Lord, Lord Cormack, indicated. I think the noble Earl, Lord Kinnoull, would agree with me that it is also good and accepted practice that together with governance should go stewardship: nurturing as well as controlling; looking after as well as managing.

It is with this in mind that I raise three points, the first of which is the position of staff. We are fortunate in having exceptional members of staff. Noble Lords who have worked on various Select and other committees will have experienced how much better these committees work once the barriers between staff and Peers are gradually removed. Noble Lords who have worked on management boards of companies, hospitals, schools and charities will have experienced this. Yet the report seems to indicate that it wishes to maintain this division of “them and us” even though it is unhappy about it. As the noble and learned Lord, Lord Wallace, reminded us, the report refers to the divisive seating arrangements at committee meetings, as did the noble and learned Lord, Lord Hope.

Bearing this in mind, I suggest that staff members serve as equals on the senior committee, the Audit Committee and the services and finance committees, rather than just being present as advisers. This would not only be a step in modernising our governance and good practice but would also help to recruit and retain good staff—nurturing and managing.

My second point concerns the position of the senior deputy speaker. This is a sensible proposal because it represents the actual situation—the work that he or she will do. The report rightly makes the point that its remit is not about proceedings in the Chamber, but the post of senior deputy speaker also relates to this. So, in creating the post, it must be good governance to provide for the powers that the senior deputy speaker

needs—powers to implement the decisions he or she may make. This matter has been debated in this House for years and, in creating this new post, now is the time to deal with it. It is part of governance. As we come more and more into the public eye, a solution becomes more pressing. In creating the post we need to define not only its terms of reference but its powers of enforcement, as the noble and learned Lord, Lord Hope, indicated—looking after as well as managing. The rest can be left to other reports.

My third point concerns the finance committee. The noble Baroness, Lady Shephard, refers in her paper to the committee being in the strange position of being responsible for our finances but unable to control our costs, particularly our variable costs. It is accountable but not responsible because the main variable costs are the number of Members and the days that we sit—costs outside its control. Most of the rest of our other costs are fixed. In every other organisation the finance committee has a say in controlling its variable expenditure—but not here. Surely an important part of modernising our governance is that a way needs to be found for the finance committee to influence these costs, and not just leave things as they are. Can the Leader of the House suggest how this may be done?

I again congratulate and thank the Leader's Group for its report. It is full of common sense. I look forward to its implementation, both in terms of governance and stewardship.

4.44 pm

Baroness Maddock (LD): My Lords, I thank the Leader of the House for instigating this review and for her exposition at the beginning of the debate. I also thank the noble Baroness, Lady Shephard of Northwold, for her chairmanship of the group. Having known her in another place a long time ago and through having served with her on the Committee on Standards in Public Life, I am not surprised by the accolades she has received this afternoon.

I must declare an interest as the chairman of the Works of Art Committee, a post I have held for almost three years. I should like to take the opportunity to thank all those who have supported me in this job, which I have greatly enjoyed. I am mostly a political operator, so this is something quite different. I thank in particular the curator, Malcolm Hay, and his staff, the Clerk of the Parliaments and the two clerks I have had to the committee, and I say how much I miss the help I had from Liz Hallam Smith, who was the director of information services in the Library. I greatly miss her wealth of experience.

The report refers to the Works of Art Committee in two places: first, in its terms of reference on page four—which are rather brief, like most of the terms of reference to committees—and then in a short series of recommendations set out on pages 22 and 23, which, as we have heard, seek to change slightly the nature of the committee, making it an advisory committee reporting to the Lord Speaker. What I hope to do in my remarks is, first, to expand on what the committee does. This is a rare opportunity to explain to Members of the House quite what goes on in the Works of Art Committee. I also want to make some comments on the

recommendations which I hope will be helpful to those trying to take them forward. I hope it will lead to an understanding of how we work.

As stated in the report, we administer the House of Lords Works of Art Collection Fund. We draw down modest sums of money each year, and I should say that during austerity they have been even more modest than they were in the past. We use the funds for two purposes: to take care of the wonderful collection of works of art in the House and to add to it. There are two ways in which we do this. Sometimes we commission works of art. Noble Lords will know that in recent years we have commissioned portraits of the Speakers of the House, and before that the Lord Chancellors. Last year, we also unveiled a portrait of the noble Lord, Lord Carrington, which we had commissioned.

We also acquire works of art to fill what we see as gaps in our historical collections. Sometimes the curator will find something that is up for auction. If we think it is something that would add to the collection, we give him the ability to bid up to a certain amount. We are also offered the chance to acquire works by people outside the House, sometimes from art dealers or organisations, and occasionally organisations will donate works to us. We are also offered works by Members of the House and their families. But in judging whether to purchase or to accept new works of art for the collection, the committee is always guided by detailed, well-thought-through policies. An explanation of our recent acquisitions may help with this.

The portrait of the noble Lord, Lord Carrington, was chosen because of the history of his work in government over a great many years. It was agreed by the committee and the portrait, which now hangs in the Members' Dining Room, has received all sorts of accolades. It is indeed a very splendid portrait. Most recently we have commissioned a portrait of the Lord Speaker which we hope to unveil later in the year, and I will say a little more about that later on. Sometimes Members of the House come to us with ideas. This year the noble and gallant Lord, Lord Vincent, came to us with an idea. He thought it would be rather nice if we could have printed on vellum the prayer that is said every day in the Lords and the Commons, and to have it hanging here; indeed, he volunteered to pay for it. We hope to unveil the prayer in June.

We have also been offered recently a portrait of Lord Mansfield for rather more money than we normally spend. Lord Mansfield had been a Speaker of the House of Lords, so we decided that, given the history of all that he had done in his political career, there was a gap in our collection and we would like to purchase the portrait. However, there was not enough money in our normal fund. We attempted to raise money for it, and I am grateful to Members of the House who helped me in that. We did not get quite enough money, but by spreading it over two years of our budget and adding the money we have managed to raise, we hope to be able to purchase it.

Care and conservation are ongoing. At the moment, noble Lords will be aware of the conservation of the Maclise paintings of Waterloo and Trafalgar on the wall in the Royal Gallery. We have been helped again to work out how to do it—we are very prudent in my committee, I must say—by PhD students from Germany.

If people are particularly interested in that, I can let them know exactly what is happening. There is further information in the minutes of our committee.

The Royal Gallery is part of the Royal Apartments, which include this Chamber, the Royal Gallery and the Robing Room, and we have to pay particular attention to how we conserve them. We work closely with the House of Commons Works of Art Committee because we have a shared responsibility for what happens in Westminster Hall and St Stephen's Chapel. When I took over chairmanship of the committee, I did not quite realise that until I started attending the meetings of the House of Commons Works of Art Committee. That committee had been working up a wonderful work of art to celebrate women's suffrage, which was going into St Stephen's Chapel. None of my committee members had seen this. I thought, "Oh dear, if they don't like it we will have a problem", so I immediately arranged for the artist to come to explain her ideas and how the work had evolved. The committee was so impressed that members burst into applause when she had finished and said, "We must give some money towards this". Mostly, however, it has been paid for by the House of Commons.

The curator, his deputy and his team, who are our expert advisers, work across both committees in the House of Commons and the House of Lords. The lion's share of their salaries are paid by the Commons and the line management is in the Commons. The Speaker does not attend their meetings but generally agrees to the programme. I would ask how we think the Lord Speaker would work with our committee if we were to follow this. Occasionally it could cause problems but we need to work out carefully how it would happen because the role of the Speaker here is very different from the role of the Speaker in the other place. I am not saying that it cannot happen but we need to think carefully about it.

I understand that a lot of consideration is being given to how members are selected to serve on committees. I know that there have been discussions about how important expertise is on the Works of Art Committee. At present I have a very committed committee. Invariably, I have full attendance and members always send their apologies if they cannot make the meeting. We have a mixture of art lovers and experts, and the names put forward by the various party groups have produced an excellent committee. It is important to have a mixture of skills. I do not think everybody needs to be an expert—we have good experts to advise us—but it is always helpful to have people who have some knowledge and are familiar with the art world. I agreed with the noble Lord, Lord Fowler, who is not in his place, when he talked about the role of committee members. I agree that we need to try to make sure that more people know what we are doing in our committees.

Another matter that comes our way, and can be controversial, is the choice of Christmas cards. I keep asking how this ever came to be the role of the Works of Art Committee. I have tried to streamline it a little and to get Members of the House to make suggestions, but in the two years that we did it we had very few. That may be due to it being quite difficult to communicate with everybody when we ask them to give us their opinions. That has come out in today's debate.

[BARONESS MADDOCK]

The other area we are sometimes asked about is what happens in the shop and what we sell there. That is interesting because I realise that there is somehow a better connection between the Works of Art Committee, acquisitions, celebrations and the House of Commons shop than there is here in the House of Lords. We do not run the shop—it is run by the refreshment department—but it is something we could look at.

Almost daily, visitors come here to admire the Palace of Westminster and to appreciate the nation's history, much of which is illustrated by the works of art contained in the building. We are shortly to make important decisions about how we deal comprehensively with restoration and renewal. The Works of Art Committees in both Houses will surely play an important role in ensuring that the unique collections we have are properly safeguarded. It is therefore important that whatever changes we make to the committee structure do not detract from the important work that the committee presently undertakes and what it will have to undertake in the future. I hope my intervention will help to ensure that, as reforms are rolled out, we put in place arrangements that will work to this end. I look forward to hearing more and to helping with the rollout.

4.55 pm

Lord Suri (Con): My Lords, I was pleased to hear the opening speech from the Leader and speeches from other noble Lords. This is an interesting report and raises a large number of salient points. One of the most key is point 44 on communication. The committee is right to diagnose poor communication between the domestic committees and the House. As a result, I and other noble Lords are sometimes not made aware of the issues under consideration until well after the report is published and sent to the House to seek approval for publication. It goes without saying that this means that we cannot lend our voices and expertise to the reports while they are being written. That undermines confidence in the domestic committees and sucks a great deal of accumulated wisdom out of the final product.

The report endorses,

“a need for significant improvement in communication between domestic committees and the House”.

That is easily enough done. Even our most senior Members have phones in their pockets that can get email, or, failing that, computers that they can get email on at home. What is so hard about circulating a monthly email with all the issues under consideration by the domestic committees, so that we might glance at our screens and have a look? It is a simple enough solution and I cannot see why it would not work.

Another key point raised was on the appointment process. The current system works on a party-representation basis. This is important to the functions of investigative Select Committees, but party proportionality is less critical on the domestic committees. We all have a shared interest in keeping this House working as effectively as possible. Any attempt to manipulate the rules for political gain would be rapidly neutered by the other place, which would not mind curtailing the powers of this place further if given a good reason.

Party representation is not a good idea. We need senior Peers and experts taking the reins in the committees, not people picked by the Whips. With the removal of this restriction should come greater scrutiny. At present there are no clearly defined lines of inquiry when one wants to raise a point or contest an assertion. When you want to raise a certain issue, it is rare to find an accountable committee member. Members ought to be assigned priorities so that we can use them as points of reference when we need to ask questions and get answers.

Furthermore, it is not unreasonable to expect Members to be able to question chairs and other reports when those reports come out. The Dispatch Boxes are reserved for Ministers, so we cannot use those. However, an informal drop-in session in which to raise concerns post publication could be a useful innovation.

One area in which the report falls short is on progress in lowering the number of committees. It clearly states that there are too many committees and, to be fair, it recommends downgrading the Works of Art Committee to an advisory panel. However, it also recommends the creation of two new committees, springing up like a hydra's heads. The answer to too much bureaucracy is to reduce it, not increase it and create three new posts.

Finally, this report recommends a new senior committee, chaired by the Lord Speaker. This committee will have certain powers, and I submit another now. If committee members turn up to less than 30% of their domestic committee meetings, then the senior committee should have the power to strike them off and ask for a replacement. There can be no room for half-hearted effort if we want the governance of this House to run smoothly into what are potentially turbulent times.

5 pm

Baroness Donaghy (Lab): My Lords, I am grateful to the Leader of the House for scheduling this debate. I also thank the noble Baroness, Lady Shephard, for her report. I thought it was me who gave her the titbit about printers being dealt with by one committee and printer ink by another, but the noble Earl, Lord Kinnoull, is also claiming to be present at the birth. As the noble Baroness, Lady Maddock, said, we all served together as members of the Committee on Standards in Public Life, so it is nice that we are in this debate together.

As chair of the Information Committee, I have been privileged to work with a wide range of Members of this House. Their collective enthusiasm and expertise has helped enormously to add value to the work of the House. I also have the distinction of presiding over a committee which is being made redundant and of being the only chair to be made redundant in this report. I assure the House that I am not taking this personally. Members will know my distinguished predecessors who chaired the Information Committee—the noble Lord, Lord Baker of Dorking, Lord Renton of Mount Harry, and the noble Lord, Lord Kirkwood of Kirkhope. I am the only Labour chair and the only woman. Again, I assure the House that I am not taking this personally.

I will make a couple of points about the recommendations of the Leader's Group on Governance before concentrating my efforts on the work of the

Information Committee and the legacy issues arising from its demise. The long-term objectives for the governance of this House have remained the same. As has already been said, 15 years ago the Tordoff review said that,

“there should be a coherent strategy covering domestic management and services and the financial arrangements of the House”.

The Leader’s Group was asked “to consider” what arrangements were necessary,

“to ensure that domestic committee decision-making ... is effective, transparent and accountable”.

We have spent a lot of time not getting very far. It is clear that nothing will be ideal in a complex parliamentary system. I accept that the current system did not provide an effective sounding board or series of user groups, except for the individuals who served on the actual committees. The recommendations in the report did not refer to the importance of sounding boards or user groups and I would be interested to know what consideration will be given to this.

Members’ attitudes to the functioning of the House will vary depending on whether they regard the House as a workplace, a legislative assembly or a club, and on which of these carries the most weight. Our obligation is to provide the best people we can to populate the new structure, avoiding the temptation simply to reward absolute party loyalty—a point just made by the noble Lord, Lord Suri—or to use it as a channel for trouble-makers to swim in. I am sure this has not happened in the past and I am hoping it will not happen in the future.

Another important obligation is to provide a management structure which is fit for purpose. The current structure of clerks is absolutely excellent for running a legislature. We are fortunate to have talented, hard-working and flexible staff who serve in the Chamber and in committees and Select Committees. It is not necessarily a good structure for effective management and financial clarity and it does not provide a comfortable home for the specialist professions, such as digital services, the Library staff, archivists, broadcasters, press and media staff, and certain education staff. All these areas are covered by the Information Committee and it is important that the new structure finds satisfactory ways of acknowledging those staff as vital contributors to our outward-facing role. We need more people in management with professional expertise, particularly in human resources, and the lack of diversity on the management board is extremely concerning. I accept that the management structures were not necessarily part of the Leader’s Group remit but that means the report can give only a partial picture.

I turn to the work of the Information Committee. We are meeting on 8 June to consider the legacy issues arising from our impending demise. The timing is not ideal but we were unaware of the date of this debate. I still believe it will be an important piece of work for the committee to do. I emphasise, therefore, that I am speaking in a personal capacity but I hope to reflect the committee’s views in general.

A significant amount of the committee’s time during my term of office has been spent on digital service issues: the helpdesk, Members’ equipment and the accessibility of the internet in the House. The appointment of a senior post in digital services was long overdue. Before that, we had a number of service failures and

project overruns. Rob Greig has been with us for two years and is gallantly trying to bring some order and to reduce the number of systems—39—that we have in the House. Yes, we are the people who have curtailed broadband and printers for some Members, and who indicated as a committee that if Members wanted an iPhone they should purchase one themselves; I am beginning to appreciate why we are being chopped. This work is time-consuming and requires much patience. It is vital that the new structure deals with digital services in a fair and transparent way, as we have tried to do, and has a system for dealing with complaints. I think the point has already been made by other noble Lords that we need to know who to go to on the different topics.

My committee spent hours acting as a sounding board and participating in pilot projects. For that, I thank its members. We have encouraged tours of the Parliamentary Archives and I encourage Members to participate if they have not already done so. The location and development of the archives are at a key stage given the plans for restoration and renewal to which they are linked. The development of parliamentary broadcasting has been vital to get our message to the public. Remember, the House of Lords was the first to introduce parliamentary broadcasting. We are opening up to all the newer forms of technology, with encouraging results. Not long ago there were more hits for the Big Ben bongos than the proceedings of the House. Now on the bigger issues our coverage is increasing by leaps and bounds.

On press and media, we had a brief debate initiated by the noble Lord, Lord Hodgson of Astley Abbots, so I will confine myself to two remarks. First, our staff do a brilliant job promoting the objective role of Parliament. They cannot promote partial or subjective material. Secondly, on the question of instant rebuttal of issues which affect the reputation of the House, we need to agree on a method within the Member/management axis which authorises action within a reasonable time. We do not have that at present. The committee also looks at the bicameral public information services, including parliamentary outreach and the Education Service, although the House of Commons leads on this. Whatever Members’ views on the actual building of the education centre on its current site, I urge them to visit the centre to see the work being done on our behalf to open up democracy to a younger generation. I am happy to facilitate this if anyone is interested.

Last but by no means least, we have a wonderful Library providing a high quality of service for the unique requirements of your Lordships’ House. Again, the Library organises visits to see what it can do to help, whether that is to access newspaper cuttings, e-books or research. Members of the Information Committee who have taken advantage of these workshops agree that it has increased their knowledge on what to ask for. The only caution I make is that the needs of Members of this House are very separate and distinct from those in the Commons, where the main need is devoted to answering constituency questions by researchers acting on behalf of MPs. A merger of these functions would not necessarily be in the best interests of the Lords, in my view.

[BARONESS DONAGHY]

Finally, the Information Committee has always believed strongly in openness and transparency. We believe that we should be able to say what equipment is available to Members. The politics of this is sensitive—I accept that—but openness will win in the end. Some members of the public think that we should walk barefoot to work over broken glass. They will never be satisfied but rational decisions about equipping Members of the Second Chamber to do their job can be defended and we should be prepared to do so. I have been privileged to serve as a chair of the Information Committee and thank all members of the committee who have served.

5.11 pm

Baroness Butler-Sloss (CB): My Lords, I rise with some diffidence because I have not served on any of the relevant committees but I would like to make two points. One is that, having read the report, I can say that it is excellent and I hope that it will soon be implemented. There is a very great deal behind it that needs to be done. I picked up with some interest what the noble and learned Lord, Lord Hope of Craighead, said about the way in which it will have to be implemented. Those were useful points, which the Leader of the House might wish to take into account.

For my second point, it is very convenient to be following the chairman of the Information Committee as I wanted to say a few words about that. First, I can tell the noble Baroness, Lady Donaghy, that I am delighted with my Nokia and do not need an iPhone. However, I am concerned about the very wide duties and remit of the Information Committee and the fact that it will be subsumed into the new services committee, which will also deal with a large number of other matters. Nobody has so far raised this issue, so I thought that perhaps I should. I shall take the Library as perhaps one of the most important examples, since several people have spoken about it. It would be very sad if the new services committee was so busy with other matters that it did not give sufficient time to the importance of the Library. I have had a huge amount of help from the research people in the Library on all sorts of issues; I know that so many other Members of this House have as well.

The Parliamentary Archives are not to be underestimated. They tend to be, unless someone really cares about them; the Information Committee clearly does. Will the new services committee do so? The digital services, such as information services for Members, public information about the House, the education and training service and broadcasting are all important and have had their own committee. I am quite concerned that they may not be given the same degree of concern and attention in a much larger committee. What is the Leader of the House going to do to make sure that that committee, which will affect us all in this House, is given proper attention when it is subsumed into this much larger committee?

5.14 pm

Baroness Fookes (Con): My Lords, speaking fairly late in the debate, I am reminded of that horrible sentence, “Everything has been said, but not everyone

has said it”. It is a mark of the quality of the debate that so many noble Lords have made quite different and very important points about this very excellent report, on which I congratulate the Leader’s Group. The report was down to earth and—thank the Lord—had no highfalutin mission statement, which I am increasingly allergic to. I will make one or two points that I hope will be helpful.

I am reminded of when I was chairman of the Refreshment Committee, some years ago now. Then, we were supposed to be a user group, and in many ways I found it very interesting. I went behind the scenes as much as I could and relayed, with as much enthusiasm as I could, the innumerable complaints I received from individual Members—which actually continued for up to four years after I had left the committee. However, more seriously, I was concerned that I seemed to be operating in what one might call a vacuum. I was quite unaware of what was happening above with the House Committee—indeed I am not sure I was fully aware it existed, any more than my noble friend Lord Fowler was about the Liaison Committee until he came up against it.

There was certainly no remit or terms of reference to which one could work—you did it as best you could, which was a very real weakness. In particular, one did not report to Members of the House, issue reports or do anything of the sort. When I saw this new report, I was extremely pleased that this is going to be considerably tightened up: there will be terms of reference, and committee members will be given a much better idea of what they should be doing. Above all, it is very important that the committees report in some way. Several suggestions were made by my noble friend Lady Shephard as to how this might come about, but again we need to experiment with that and then perhaps review it, to see how effective these various means are.

The noble and learned Baroness who spoke just before me anticipated the very point I was going to make about it being a major commitment for anyone to serve on the new services committee, bringing together as it does not only the Information Committee, with all that does, but the Refreshment Committee and the Administration and Works Committee. That is very major indeed, and those who serve on it will have to be prepared to give considerably more time and effort than would be expected of any of us on a single committee. I hope that any preparations made for those who are willing to serve will look at that very closely. They should be asked, in my view, whether they are prepared to give that amount of time and effort.

I turn now to the question of non-executive members. I fully approve of the idea that they be added to the senior committee—by whatever name that is known—although I take on board the suggestion, made by the noble Earl, Lord Kinnoull, that there may not be enough. I notice that there is no suggestion that the services and finance committees should have similar members permanently attached. I just wonder about that. I noticed the paragraph which says that they should be able to call upon expert advice from time to time if they so choose, and maybe we should start with that, but I suspect that it would be very helpful indeed to have permanent members from outside this House to assist with what will be a very major remit.

All in all, this is an excellent report, but clearly we need to have a running review of how this will operate. The mistake in the past has perhaps been to say, “Right, we have done this: forget about what may happen to it”. We ought to have a regular period of reflection on how we are doing—not necessarily in order to have major changes or upheavals, but a running remit to see that it is as effective as possible.

5.19 pm

Baroness Taylor of Bolton (Lab): My Lords, I am very pleased to follow the noble Baroness, Lady Fookes, because some of the points she just made illustrate the kind of information that we were getting about how the committees are working or have been in the past.

I start by thanking the Leader for providing this debate and all the leaders for the way they have sought to respond to the problems our report has highlighted. I join others, especially those on the group, in thanking the noble Baroness, Lady Shephard, for operating as an inclusive chair while keeping us on the straight and narrow, and echo the thanks to our clerk, Judith Brooke, who did a sterling job fulfilling her responsibilities and providing assistance.

My starting point is that our report and recommendations may not be absolutely the last word on all these issues—we are not claiming that—but we should bear in mind that not one person gave evidence to us defending the existing system. Nobody from any side of the House or any member of staff came along and said, “No. Don’t change things. Everything is working perfectly”. Very clearly, from all the evidence we received, everything is not working perfectly and we have to revise what we are doing. Indeed, the main concern expressed to me was that our remit was too narrow because we were not allowed to look at procedure or the role of the Speaker. Had we been able to, we would not be having this debate today, because we would be nowhere near finished. It was hard enough work to get to where we are with our limited remit.

On behalf of the group, and without consulting it, I apologise to my noble friend Lady Donaghy if she felt at all victimised; that really was not our intention. I am glad that she is not taking it personally and I am sure that, in time, her suggestion of user groups will be considered by the new senior committee as appropriate or when a specific issue is raised, because communication was certainly one problem we identified.

The themes the report threw up have been well mentioned: lack of clarity, buck-passing, delays, lack of accountability and lack of direction on occasions. The example used of printers and printer ink explains exactly the nature of the problem, and is one that everyone will remember indefinitely. Our stunned reaction when we first heard about it sums up much of the problem that the committee felt we were facing, as do our examples from the Refreshment Committee, which have been mentioned quite often.

The noble Lord, Lord Fowler, mentioned that the committees’ working is sometimes a mystery to those who are not on them; we found that it was sometimes just as much a mystery to those who were. That should not be the case and is often a problem for staff as well.

I think that our proposals create the right framework and are clear and straightforward. As everyone has mentioned, the detail is not finalised. These recommendations can be tweaked and considered. I heard what my noble friend Lady Cohen said about the Audit Committee, what the noble Earl, Lord Kinnoull, said about induction—something on which I think we would all agree—and what the noble and learned Lord, Lord Hope, said about phasing in or transitional arrangements for the new system. What we just heard about the work of the Information Committee going forward could be particularly useful in that respect; those are important points.

However, there is a sense of urgency about this. We really need to act to strengthen the governance of this House, not least because we already have 64% joint working with the Commons—but, as others have mentioned, we are now moving on to the phase of restoration and renewal. It is important that we feel confident that we have the right structures in place in this House. The key in all we were trying to do was to get clarity in our structures and responsibilities. We need proper terms of reference for any committee of this House and proper systems of delegation, be it to the chair or to officers. We need to end the confusion that exists. That is particularly important not just for the good working of the House, but because we are talking about public funds. It is important that we have the degree of accountability and transparency that is the essence of good governance. Making those changes will benefit Members, who will know what decisions are being taken, why, and by whom. It will be significant for the staff of the House, officers and others who work in the House because they will have clearer instructions, there will be less possibility of confusing and conflicting instructions, and less scope for delays caused by prevarication and things being passed from one committee to another. We all have every reason to be grateful to those who work in this House. The evidence we got from members of staff through the drop-in centres told us of the difficulties that can arise for those who work here because of the confusions that exist.

We have got the framework right; we need to look at what might be the detail. I was glad that the Leader of the House made it clear that she would be willing to make sure that there are transitional arrangements. As the noble Lord, Lord Cormack, said, we have not been dotting “i”s and crossing “t”s—we have been creating a framework. It is not a mission statement but something practical, which will take us further forward. The remit we had from the Leader of the House was to ensure that domestic committee decision-making was effective, transparent and accountable. We have made a good start, and I hope the House will take the proposals further.

5.27 pm

Lord Cope of Berkeley (Con): My Lords, I am glad to contribute to this discussion on the very interesting report of my noble friend Lady Shephard and her colleagues. I have been involved in various capacities in the governance of your Lordships’ House, and I was previously in another place for some years. I am currently a Back-Bench member of the House Committee,

[LORD COPE OF BERKELEY]

but for some years I was the opposition human resources manager, known for historical reasons as the Chief Whip. I was therefore at the centre of the great jigsaw puzzle of who does what, although I hasten to add that I was by no means the only player in that puzzle. I found that, broadly speaking, subject Select Committees attracted plenty of volunteers, but the administrative committees did not, with the notable exception of the Works of Art Committee.

The fact is that few of us take a sustained interest in organisational aspects of the House. There are important exceptions to this, such as the noble Baroness, Lady Donaghy, who spoke so well. Most Members of your Lordships' House have a lifelong interest and great experience in various policy matters, such as medicine, education, economics or the law. They are only intermittently interested in the administration of the House—and usually, as my noble friend Lord Fowler pointed out, when something goes wrong, or is thought to have done. This tendency of your Lordships' House is of course strengthened by the efficiency of the clerks, those who serve us so well in Black Rod's Department and so on. Things generally run smoothly so your Lordships do not need to take an interest.

So what about the changes proposed in the report? With regard to the House Committee, there is not really much change on paper. The proposal is that the House Committee should be replaced by a new senior committee, with little if any change proposed in the remit. The new committee is supposed to develop, set and approve on behalf of the House the strategic plan and annual business and financial plans of the administration, working with the management board of House officials, and then monitor performance. The present terms of reference for the House Committee, as fully advertised, are:

“To set the policy framework for the administration of the House and to provide non-executive guidance to the Management Board; to approve the House's strategic, business and financial plans; to agree the annual Estimates and Supplementary Estimates; to supervise the arrangements relating to financial support for Members; and to approve the House of Lords Annual Report”.

That is of course what we do. The only extra element of our current explicit terms of reference that is not so far part of the new committee is the reference to the supervision of the financial support for Members, but I am in no doubt that that will come within the remit of the new committee.

Some changes are proposed to the composition of the senior committee compared with the present House Committee: first, that the new services committee and finance committee chairs should be members of the senior committee, which I thoroughly support, but also that there would be two fewer Back-Bench representatives and instead two outside members, described as non-executive, although as a matter of fact those words describe us just as much as they would describe someone from outside. The idea is obviously to bring in individuals with suitable expertise, particularly where administration rather than anything else will be their specialist subject, and I support that.

The new factor is the proposed junior finance committee—below the senior policy and resources committee or whatever it turns out to be called—to do

some groundwork, some detailed financial and technical scrutiny, on behalf of the senior committee. The terms of reference for that committee will presumably be very similar to those of the senior committee, except making it clear that it is junior to the senior committee. I worry that this will bring in duplication, which in other respects is what we are trying to get rid of. When the senior committee agrees with the junior committee, all will be well, but when the two disagree then the House itself will have to adjudicate, which might involve considerable delay.

I am also concerned about the proposal in paragraph 86,

“to align the work of the Finance Committee and the Audit Committee”.

I trained and worked as an auditor and consider that those functions should essentially be independent, not “aligned”, whatever that means, with the finance committee itself. I certainly do not think that the chair of the Audit Committee should only be a member of the junior committee; she—or, at some time, maybe he—should of course be a member of the senior committee.

The other new committee, the services committee, will combine the duties presently undertaken by the three committees. Like others in this debate, I am concerned about the width of those responsibilities on those members and that chairman. It will of course reduce by two-thirds the number of Back-Bench Members serving in these various capacities and so reduce the problem of finding enough committed Members to do the job, but the remit will be very wide, as the noble and learned Baroness, Lady Butler-Sloss, pointed out just now. Of course, it neatly avoids any boundary confusion between the three committees, which has been part of the difficulties of defining who is responsible for what, and gets round the printer's ink problem. However, it leaves the problem of defining the difference of remit between the senior committee and the junior committees. What is strategic? So the decisions to be made about the precise remit of these two new committees, including the services committee, will not be very easily made. In any case, neither I nor, I think, the committee or the House believe that these adjustments to the committee structure and senior posts will of themselves make much difference to the reporting procedures or methods of working. They also need to be modified.

There is concern that those of us who currently serve on these committees do not report enough to our colleagues. Perhaps more proposals for change which are thought necessary could be brought to the Floor of the House before being instigated. However, I must warn the House that there is limited appetite for that among Members who want to raise other topics. I notice that the future business currently shows 65 Back-Bench Motions awaiting debate. Only one of those is about administration; the others are all about different aspects of policy.

Perhaps we members of the House Committee and other committees do not advertise our services as a channel of complaints enough. However, in my experience, Members who wish to complain about something that has gone wrong find their way to us quite often, and obviously we take up the points that are made. I add

that I have only occasionally reported to the Association of Conservative Peers in my capacity as a member of the House Committee or in that sort of capacity, but I have also rarely observed an appetite for administrative matters to be raised in that forum either. In practice, of course, concerns are usually raised in the weekly session of the Association of Conservative Peers with the Chief Whip, as my noble friend Lady Shephard will recall from her time as the excellent chairman of the ACP. Not the least achievement of the Leader's Group she chaired was to have brought out the views of Members about governance which are not normally expressed and have not been over the years. This report has given us a useful opportunity to reflect on how this rather special place works, and we can and should go ahead with its proposed changes.

5.37 pm

Baroness Hamwee (LD): My Lords, I became aware of some of the difficulties of suggesting innovations about 24 years ago, when I put it to the Refreshment Committee that yoghurt should be available in some of our catering outlets. I considered it a victory when it appeared. I congratulate the committee and the chair on the report. I support the recommendations, many of them with much enthusiasm, although my experience of partners' meetings and board meetings around a table is that one spends a disproportionate amount of time discussing what sort of biscuits one should have.

The terms of reference for the group included the effectiveness of domestic committee decision-making. This evening I will put down a marker for considering effectiveness in another part of the forest: legal services and shared legal services. Currently seven lawyers work in this House, two of them part time, and 13 work in the House of Commons. This is not about job creation for lawyers—although I declare an interest as a solicitor; my point is about effectiveness and efficiency.

The two Houses work towards the same ends, not in competition—mostly—but with a different focus. Although we try to complement one another, not to compete or duplicate, inevitably we consider many of the same issues. So it seems logical that, for instance, the same lawyers should advise when a House of Lords committee considers a Bill sent to us by the Commons. This is about value for money and the effectiveness of Parliament. Shared services in this area would probably also lead to the same amount of legal resource being more readily available to committees and Members across both Houses.

I have seen a submission on the issue by a staff member. I take the points made about assisting business planning within legal services by enabling a single unit to anticipate and co-ordinate provision, and about making it easier for a single unit to collaborate with other services, such as research. I do not know whether there are problems with the recruitment of lawyers—probably not—or with retention, which is possible, but this would contribute to a career structure for lawyers within both Houses and a workforce with a diversity of background and experience.

I do not for one moment suggest that Parliament's lawyers do not co-operate with one another, or that

there are not all sorts of issues that would need to be addressed, but I was surprised to learn that lawyers operate in discrete entities—I do not want to say “in silos”—and this part of our structure would be well worth looking at when the next opportunity arises.

5.41 pm

Lord Oxburgh (CB): My Lords, I, too, thank the Leader for setting up this committee, and I congratulate the noble Baroness, Lady Shephard, on a truly excellent report, from which we can all benefit greatly.

It is probably worth making one or two comments. Noble Lords will be glad to know that I have thrown away the speech that I had prepared simply because everything has been said more than once, and certainly better than I would have said it. However, I think that the point has been made only indirectly that, although there were all sorts of things wrong with the previous system, at least part of what was wrong was us. People were not taking commitments seriously. I serve on the Information Committee. When I joined that committee, the Clerk of the Parliaments and the then Chairman of Committees took a great deal of trouble to brief new members. I think that we had two significant briefing sessions but only a minority of members attended them. That is a problem, and it is going to be a problem for the new structure unless we change our ways.

Today, I want to concentrate on the Information Committee. All sorts of benefits of a services committee have been outlined but, frankly, I simply do not think it is credible that the range of activities and inquiries carried out by the Information Committee could be carried out by the services committee with the major and broad remit that is proposed. The same point has been made very clearly by the noble and learned Baroness, Lady Butler-Sloss, and others. Either one has to say that the work that the Information Committee was doing was not very useful and did not need doing or one has to find a different way of managing it.

One possibility is to have an information group or sub-committee that takes on some of those responsibilities but then reports to the services committee. In other words, it would use the proposed structure but tweak it, and this could be done in one way or another with all sorts of finessing. However, I think that some of our work has been useful. Perhaps it has not always been to the liking of some of those whom we have interviewed but, under the skilful chairmanship of the noble Baroness, Lady Donaghy, I think that the meetings have always been constructive and have probably been helpful to the officials whom we have seen. We operated with a very high degree of informality. We were constrained to a horseshoe-shaped arrangement by the rooms in which we generally, although not always, met, but it worked extremely well. I suspect that quite a number of people would feel that it was a loss if that sort of activity ceased.

I urge the Leader and those whom she consults on this to think upon this question and how these things can be managed within the new system.

5.45 pm

Lord Hunt of Wirral (Con): My Lords, everything that I wanted to say has been said by the previous 20 speakers. My noble friend Lord Geddes has just

[LORD HUNT OF WIRRAL] said, “Sit down, then”. I resist that, if I may, just for a moment, to join the noble and learned Lord, Lord Wallace of Tankerness, in paying tribute to the inspiring leadership, certainly when I first entered this House, of the noble Lord, Lord Tordoff. I entered this House in 1997, and I still treasure the annual report and accounts of the House of Lords which I received at the time. It may be interesting for colleagues to hear this extract from the then Clerk of the Parliaments introducing the annual report in 1997, who said that in the last year, “91 life Peers have been created, the highest number ... Total membership increased from 1,204 to 1,273 ... daily attendances (over 400) were the highest ever ... Accommodation is very limited and increases in membership and attendances have exacerbated the situation”.

If we then turn to the organisation chart in this annual report, we see that it defies imagination. In a rash moment, I said that to the noble Lord, Lord Tordoff, because I had just been appointed to the Offices Committee, chaired then, I think, by Lord Boston of Faversham. The noble Lord, Lord Tordoff, said that the same thing had just been said to him by Lord Sharman. He turned to me and said, “The interesting thing is that you and Lord Sharman have one thing in common: you are running very substantial organisations outside the House”. He went on, “Why don’t you just present us with a report showing how the management and internal governance of the House of Lords should be conducted?”. So Lord Sharman and I took advice from all our colleagues and in our partnerships and produced a report. I am not going to detail that report, because I was taken to one side by Lord Grenfell, who said, “You may want to see the sort of simple change that you have outlined, with a chief executive, management board, non-executive members of the board, et cetera, but you’ll learn in this place that it’s evolution not revolution”. And so it was that we then combined in 2002 and produced a report that set out a number of changes. The noble Lord, Lord Tordoff, was brilliant in explaining, defending and urging those changes on the House.

Then we come to 2007. Again, I was reminding myself that that is when the noble Lord, Lord Tordoff, and I presented another report on internal governance to the then Lord Speaker. We pointed out that since 2002 there had been a number of significant changes: the development of what is called strategic and business planning; the establishment of the first fully joint parliamentary service, PICT; and the acquisition of the Millbank Island site. We also listed a whole number of others. But in 2007 we said that the one thing that had not happened which should happen was the greater involvement of the membership of the House in decision-making—there had to be wider consultation and greater opportunity for all Members to participate. We wanted to see user groups.

That was 2007. I therefore congratulate my noble friends the Lord Privy Seal and Lady Shephard of Northwold and all their colleagues on producing a report which has such a positive vision: “effective, transparent and accountable” internal governance. We are taking that step-by-step approach that the noble Lord, Lord Tordoff, so clearly saw. We should not only endorse the report but move to implement it as soon as possible.

There was just one thing I was concerned about, having seen the brilliant leadership of the noble Lord, Lord Tordoff, when he occupied the position of Chairman of Committees and of several similar holders of that office since. I would not want a significant alleviation of the duties of the Chairman of Committees. I know that the new structure suggests that but, rather like the noble Lord, Lord Fowler, and the noble and learned Lord, Lord Hope, I think that there must be a better way, because the role of Chairman of Committees or whatever we call it has a huge and significant opportunity now to strengthen public confidence in the House of Lords, not only as a revising Chamber but as a Chamber that has a clear sense of direction. Some of the proposals of the noble Earl, Lord Kinnoull, were in the original report that I produced with Lord Sharman. Slowly but surely we will get there, but a lot will depend on the leadership, particularly of whoever succeeds as the Chairman of Committees.

I conclude with three points. First, we have here a blueprint for better engagement between Members of the House of Lords—how much I want to emphasise the need for better consultation. Secondly, we now have a much more strategic approach for taking decisions. Thirdly, we have an effective framework within which Members and our excellent staff can work together far better than ever before. What a great opportunity we have. Do not let us miss it; let us move swiftly to enact the very good proposals put forward by my noble friend.

5.52 pm

Lord Campbell-Savours (Lab): My Lords, this is a very useful piece of work by a committee that I understand was superbly chaired by the noble Baroness, Lady Shephard, whose reputation as a reformer goes before her. However, I have a few questions which follow on from the comments made by the noble Lords, Lord Cope and Lord Oxburgh, and the noble and learned Baroness, Lady Butler-Sloss.

At the heart of the report is the proposition that three committees be consolidated into one. I want to list what is in the remit of the new committee: access to internet; equipment; Library services, Parliamentary Archives; information services, broadcasting; catering facilities; banqueting; food procurement; gift shop issues; catering budgeting; catering staff issues; restoration and renewal; access arrangements to the House; aspects of security; office accommodation; acquisition of property; parking; and property maintenance. It is a very substantial remit indeed.

There is reference in the report to the fact that the new committee will meet more frequently. So it will, but what worries me is that, with this substantially widened remit, there will be a dilution of debate on many issues that currently come before the existing three committees. If that debate does not take place, paragraph 67 proposes:

“The Services Committee should agree appropriate delegations to its Chair and to the Management Board”.

In other words, we may well see a substantial increase in the amount of delegation as a result of the increased workload that falls upon this committee. Furthermore, the committee might well decide to establish sub-committees to deal with many of these issues which, in

effect, reflect the existing remits of the existing three committees. I am concerned about the wide remit.

Secondly, I believe there is a contradiction in the report, which I am sure can be corrected by the Leader of the House when she winds up the debate. Paragraph 66 states:

“We would however expect the Services Committee to refer matters with a clear strategic impact to the senior committee, with recommendations, for a final decision”—

“a clear strategic impact”—and yet paragraph 88 refers to:

“Ideally the new committees should be composed in such a way as to ensure that the senior committee usually accepts any advice offered, and does not seek to unpick decisions or return to first principles”.

I ask a simple question: what is the difference between “clear strategic impact” and “first principles”? There seems to be a conflict inbuilt in that.

I join the noble Lord, Lord Cope, in dealing with the issue of bleed-over between the new House Committee—the general purposes committee—and the finance committee. There will be confusion over who is responsible for what and who takes the final decision on what.

I accept a lot of what is in the report but I regret that I did not give evidence. I presumed that we were following the report produced by my noble friend Lord Hunt for the Labour group on these matters. I did not give evidence and that is why I did not apply to speak in the debate today.

5.57 pm

Baroness Smith of Basildon (Lab): My Lords, it is always nerve-racking to be the 22nd speaker in a debate, even when winding up. I was slightly nervous when the noble Baroness, Lady Fookes, referred to everything having been said but not yet by everyone. I was even more alarmed when my noble friend Lady McIntosh of Hudnall—the third speaker—observed that she had never spoken so early in a debate when almost all the points had been covered. As 22nd speaker, there is not much I can add that is new. However, I can reflect on the debate and try to draw some of the points together.

I have found this debate helpful and useful and I am grateful to the noble Baroness for ensuring that it took place. She will know that we were keen to get the views of the House on the report and its sense has been made clear today. Certainly the report has our broad support and we endorse its recommendations. A number of useful comments have been raised today. I add our thanks to all those on the committee, particularly the noble Baroness, Lady Shephard, who chaired it. We are grateful for the committee’s work and to all those who have spoken today.

It is clear from the report and from those who gave evidence during the committee’s sessions that the committee was diligent, detailed and brought considerable thought, discussion and analysis to its work. It is helpful that the noble Baroness, Lady Shephard, outlined the wide experience that the committee brought to its deliberations. It has been said, but it is worth repeating, that the remit was narrow and focused. It was purely about the governance arrangements of this House and whether improvements

could be made to the way decisions are taken about its services and facilities that we, as working Members of your Lordships’ House, rely on to do the task that we are charged to do. It was solely focused on the domestic committees that deal with facilities and services and not the four that deal with procedural matters.

I appreciate, as we have heard from some noble Lords, that there are many other areas of your Lordships’ House for which reform and change could be considered. There has been debate in recent years about the role of the Lord Speaker and whether there is any merit in introducing a similar model to that of the other place, particularly at Question Time. Scrutiny of appointments and an enhanced role for the House of Lords Appointments Commission has been raised many times in your Lordships’ House, and many of us believe that the time has come to end by-elections for hereditary Peers, particularly as there is now no real distinction between a hereditary Peer and a life Peer.

The noble Lord, Lord Strathclyde, was asked by the Government to make recommendations on how this House considers secondary legislation. It would be fair to say that that report has not been as well received as this one and that it is more controversial, dealing as it does with the powers of the House. It is worth saying that we remain committed to a constitutional convention to examine these wider issues that have a deeper impact, beyond your Lordships’ House, than just that on the work we do here. But this committee was set a very clear and focused remit. It was not about procedure, proceedings, powers or appointments. If at times that was frustrating, it also had great merit. A wider remit would have made a broad acceptance and consensus far more difficult and therefore less likely to effect any change.

I shall start by touching on something in the report. I welcome the appreciation, which is often lost in reports on governance, that we are a unique political organisation which brings with it other complexities and tensions. It is wise that paragraph 59 cautions against “oversimplified” comparisons with other organisations or companies. Too often, decisions in debates about governance look for a model of examples from other organisations, but they are so very different from us that it is impossible to draw direct comparisons. An example drawn from the report shows that a member of the House Committee has complex, multiple roles and multiple relationships, which are additional factors that have to be taken into account. It has to be recognised that although the House Committee has responsibility for strategic and financial direction, unlike other policy and resources committees it has no control over two of the major factors that influence expenditure in your Lordships’ House—the number of appointments and the number of sitting days. This point has been made by a number of noble Lords. The committee has to make decisions around things which have an impact but over which it has no control, which is hugely significant.

As the summary sets out, the aim of the committee is clarity: clarity of the roles and remits of the different committees and clarity in the decision-making process. That clarity should bring with it greater understanding

[BARONESS SMITH OF BASILDON]

across your Lordships' House of how decisions are made and where authority rests in decision-making, thereby increasing accountability.

When I gave evidence to the committee, it was shortly after taking over as leader of my group and as Leader of the Opposition. Having been in the other place for 13 years and in your Lordships' House for five years, I thought I had some understanding of how committees work, although, like most colleagues, I had not looked at them in any great detail. Almost immediately on my appointment, I was given a list of committees of which I would be a member. It was a very long list, and I was helpfully provided with information about the role of the committees. Having spoken to colleagues, it became clear that the House Committee is the most senior committee dealing with strategic issues.

The point at which I began to question the structure was after a particularly long discussion at a meeting of the House Committee. Those who have attended that committee will know that it is on occasion prone to holding long discussions on issues. Only towards the end did it become clear that we were not being asked for a decision, we were having a decision reported to us with no further decisions to be taken. There is a lot to be said for committees of expertise to investigate and make decisions on the understanding that unless something serious and important is raised about process or new information that had not been previously considered comes to light, those decisions should be endorsed by a senior committee. My point is about the lack of clarity. It was not clear to me and to most, or possibly all, of the other members of the House Committee what was being asked of us when we embarked on that discussion.

The terms of reference for the domestic committees are set out in Figure 1 on page nine, to show their remit. Under the graph it states:

“The House Committee sets the policy framework”,

and is responsible for strategic and financial planning. The Administration and Works and the Information Committees “consider”, the Refreshment Committee “advises”, while the Works of Art Committee “administers”. I cannot think of any other organisation that would operate in that way, so it is not surprising that there is a lack of clarity on how committees operate today. Those who have served on these committees take their responsibilities very seriously, and I suspect that it often makes their work harder if it is unclear whether they are being asked to decide on something or note something, or whether a decision has been taken or they need to advise.

Let me add to the points that have been made today about the recommendations. The new structure is more streamlined and provides greater clarity. The decision-making process can be better understood, thereby providing greater accountability. The new senior committee has considerable authority. The noble Lord, Lord Hunt, may have a better view on this, but it seems to me that the role being proposed is perhaps that considered by the previous review he was involved with—a high-level, strategic and overview committee.

I welcome the ability to bring in outside expertise to the senior committee. That may also be helpful in managing relationships between staff and Members. I am not particularly concerned about the number; the suggestion made by the noble Earl, Lord Kinnoull—two or three—was quite helpful. I agree that outside expertise should be available to the finance committees and service committees, but not as full members.

The report made the point about induction and support for committee members, which applies to all the committees, particularly the senior committee. Some further thought needs to be given to how that can be achieved and what is appropriate. Again the noble Earl, Lord Kinnoull, commented on that. The advice and expertise of outside non-execs should complement and supplement existing expertise in your Lordships' House; we should not assume that we do not have it here. There is a lot of expertise and we need to channel it in the right way. Advice from outside experts may change the kind of advice we want; it depends on who we have as members on those committees.

There also needs to be greater consideration of the balance between building up expertise and the rotation of members. We want members to be experienced in the work of the committee and to understand its history and background. There also needs to be a rotation of members so that it does not become stale, and we are able to engage more Members of your Lordships' House in the work of all three committees.

The point made by the noble Baroness, Lady Cohen, on the role of the Chair of the Audit Committee was very helpful and valid. I had previously thought that it would be helpful for the Chair of the Audit Committee to be on the House Committee. I always found it strange that the noble Baroness sat slightly apart from the committee, given that there was a lot of value in what she had to contribute. That is something certainly worth considering.

The role of the Chairman of Committees has been raised by a number of noble Lords. It is a different role but I am not sure I share the view that it is a lesser one. The noble Lord, Lord Hunt, picked up on this issue as well. If the post is also expected to deputise as the Lord Speaker—and, I assume, speak for the senior committee when required—as well as maintaining responsibility for procedure and privilege, it remains a pivotal position in your Lordships' House. As with all these positions, but particularly this one, the first postholder will have a very important responsibility in how they fulfil that role and maintain the other part of the existing role, particularly at a time of transition and change. I still see this as a very key role in the work we do.

The noble Lord, Lord Haskel, reflected on the role of the staff of the House and their relationship with Peers. He made the crucial point that that relationship is key to effective working. The comments of my noble friend Lady Donaghy on user groups and sounding boards were very helpful. There is a wider point about communications, which the Leader of the House also referred to. I wonder whether we need a more formalised and comprehensive reporting process. The noble Lord, Lord Cormack, referred to the BBC film, saying that he was unaware of it, as were many other noble Lords, until it happened.

What is of interest to colleagues is not just the decisions that are made, but transparency in how they are made and have been made. We have all had reports in our groups, but not all issues are of interest to all Members. Sometimes, as the report identifies, those reports are made in response to rumours, which may be false, or they are late in the process. Trying then to report on the “how and why” can make the decision-making process even more complicated. Although we deal with these issues in our party groups, as the Leader of the House said, very few are party political. That is the channel of communication, but they are not really party-political issues. Perhaps sometimes, they sit a little uneasily in other discussions the groups have. I would like us to give a little more thought to whether there is something we can do. *Red Benches* is very good at informing; I wonder whether that can be extended to raising issues early on.

My noble friend Lady Donaghy, the noble Lord, Lord Oxburgh, and the noble and learned Baroness, Lady Butler-Sloss, in some ways issued a challenge, in that there cannot be a dilution of commitment to the issues they have raised—those dealt with by the Information Committee and the Libraries, and those relating to IT. The report appears to be saying that these have to be drawn together; otherwise, you get the absurdity of the printer situation, which is now familiar to us all. The noble Baroness, Lady Fookes, spoke about a review. I am not sure that we want ongoing review at all times, but I have always been a great believer—I might one day regret saying this—in post-legislative scrutiny. We have pre-legislative scrutiny but we do not have proper post-legislative scrutiny. There is an opportunity here, perhaps after a year of operation, to ensure that things are working as we intend them to and that we have got it right.

When my noble friend Lady Donaghy spoke about the work of the Information Committee she also spoke about external communications, which was not part of this review. It is something about which we should be mindful in all the work we do. I add a personal note about my noble friend. The work and chairmanship of the Information Committee may have seemed really innocuous and easy when it was first mentioned. Yet, she steered us through a minefield of iPhones, broadband, complications and printers. We found that there was nothing set down; no two situations were exactly the same. What she did is perhaps a model for the report: she brought clarity, transparency and accountability to the work of that committee. She made a point about seeing our work not in a vacuum, but in the political context. That makes the point rather well for the whole report.

Finally, looking at the way forward, the Leader’s Group recommended in paragraph 116 that, “the revised structure is implemented without delay”.

That was reflected in a number of comments in the debate. However, it also said in paragraph 115:

“There is a significant amount of detail to be settled before the changes can be made. However, we urge against any temptation to defer difficult decisions to a later date”.

Those on the group who spoke, including the noble Baroness, Lady Shephard, said the same. Those are wise words, and I agree with both those statements.

This debate will help enormously to inform how we proceed towards implementation. The noble Baroness the Leader will recall our discussions. I accept that the usual channels can be opaque, as a couple of noble Lords said, but I am content that they should be charged with taking this forward. However, I also think—I have spoken to her about this—that it would be helpful to have the noble Baroness, Lady Shephard, and perhaps other members of the group engaged in that process to advise and support us. Their work has been invaluable. I would hate it if the usual channels referred to something without understanding the background and the discussions. We have the group’s report, but we do not have transcripts of its debates and discussions. In some ways the report is a minor part of the work undertaken over several months. It would be good for the usual channels to engage with the group during that process and have the advice of the noble Baroness, Lady Shephard, given her experience. I would certainly find that helpful.

It would also be helpful to be clear today about the next stages and the timeframe. It is clear that there is broad agreement. Clearly there are some “i”s to be dotted and “t”s to be crossed. I assume that we will need to come back to the House at some point with a resolution of the whole House so that we can move forward with implementation. I wonder whether, built into that, there can at some point be some post-implementation reflection, so that, if something has not gone as the group and this House intended, we can examine it and make any tweaks that may be required.

We certainly have here a model for good governance, decision-making, transparency and, importantly, accountability. It is clear from the report that there is an intention—for those who are willing—to engage the whole House.

6.15 pm

Baroness Stowell of Beeston: My Lords, I am very grateful for all the contributions today. It has been an excellent debate; I found it interesting as well as informative. I noted the loud chorus of “Hear, hear” after my noble friend Lady Shephard concluded her contribution. That is a reflection of the respect we all have for her work as chair of this group and for the group as a whole in taking on this challenge, giving it proper, careful consideration and coming forward with a very thoughtful report and set of recommendations. We have been able to see from today’s debate that there is broad support for what has been recommended, for moving forward and for making progress.

As in all organisations, the question of how we should structure our decision-making is an on-going process; it is not something where you ever arrive at the exact point when you say, “That’s that then—that’s done”. As the noble Earl, Lord Kinnoull, said, governance is a process of evolution. If we are to remain modern and relevant, we have to take account of changing experiences and circumstances on matters such as this.

My noble friend Lady Fookes recommended that we keep a watching brief on how these changes are implemented. The noble Baroness, Lady Smith, suggested that, as part of the implementation phase, we should consider how we look at how things are going post implementation. I am happy for that to be part of the

[BARONESS STOWELL OF BEESTON]

next stage. It is probably best not to prescribe how we do that, but I acknowledge that it should be part of our work.

As the noble Baroness, Lady McIntosh, acknowledged, there is no perfect model of governance. However, what strikes me from today's debate is how much the group has captured the concerns of noble Lords about the way decision-making happens in this House and has set out a coherent way to tackle those concerns. As the noble Baroness, Lady Taylor, said, it was striking that, in the group's consultation process, nobody argued for the current structure to be maintained. Although I am sure there are noble Lords who may have wanted the group's remit to be set wider, the fact that the remit was narrow, and it was able to do its work in a way which has attracted consensus, is another good example of incremental reform being a model for progress. This is a lesson which I continue to learn.

On timing, I hope we are able to put in place the changes that we have been discussing today early on in the next Session. We can concentrate on the implementation phase in the period between now and the autumn and look at the detailed issues that have been raised in the course of the debate and which we need to consider further. I will talk about the implementation process and then try to respond to some of the specific queries that have been raised this afternoon.

Several noble Lords asked exactly how all this would unfold in practice and how we would consider these issues before they are finalised. Having consulted with the House authorities and with the Clerk of the Parliaments, I think that it would be most straightforward to do most of the detailed implementation through the House and Procedure Committees, the recommendations of which would ultimately come to the House for approval. We will keep this under review as we go, but the way I am expecting things to unfold is that, rather than another single resolution coming before the House, the specifics that will need to change in order to bring some of this stuff to life will feature in reports from the relevant committees, which will then get approved by the House. Thanks to the provisions of Standing Order 64, we can continue with the committees that currently exist, as presently constituted, into the new Session. Further discussions will continue alongside those formal processes.

The noble Baroness, Lady Smith, mentioned the usual channels. In light of some of the comments this afternoon, I am a bit nervous about talking about the usual channels. Some things lend themselves best to the usual channels, but I readily acknowledge that they are not the only channel of communication. I hope also that in the weeks ahead we will continue to be able to take advantage of my noble friend's expertise from the work she has done and that of others in the group—and, indeed, members of the existing committees—in considering the way to move forward.

What the noble Baroness, Lady Donaghy, said about the Information Committee's decision to consider the outstanding issues that would need to roll over to the new structure is a very important part of the transition

period. I do not think that the schedule she has set for her committee is in any way out of step with the next stage of this process. I very much welcome that initiative.

Indeed, I pay tribute to the noble Baroness, Lady Donaghy, for her excellent chairmanship of the Information Committee. I echo all the points that the noble Baroness, Lady Smith, made in her tribute to her. I assure her personally that the decision of the Information Committee on iPads and iPhones had my full support. She has nothing to fear in terms of the decisions that have been made previously being relevant to our proposals for changes in governance.

The noble and learned Lord, Lord Hope, raised some very detailed questions about the phrasing and sequencing of some of the decisions—what committees should be set up first and so on. Again, this is something that we can take away and consider carefully. He made some important points.

A range of points were raised today. I will do my best to respond to most of them. If I fail and any noble Lord wishes to discuss any of this further with me outside the Chamber, I will be more than happy to do so.

I will make a couple of brief points about joint working between this House and the other place. It is worth reflecting on the fact that 64% of expenditure is already joint between the two Houses. That is something that we should be very pleased about, actually. It is far higher than both Houses get credit for. It is something that we want to see continue to increase. Noble Lords may like to know that there is already a big review going on to look at where there is scope for more joint working and what services would be most suitable for a next stage.

As noble Lords will understand, it is easier for some services to implement joint working than others. I note what my noble friend Lord Fowler said about the Library. I do not think that that will be in the next phase but that does not mean that it will not or should not be something for us to consider down the line. I note also what the noble Baroness, Lady Hamwee, said about legal services but, again, that is not something that is about to happen soon.

I pay tribute to the Lord Speaker with regard to joint working between the House Committee and the commission of the other place. She has already established some joint meetings of both those bodies and has been very much behind our efforts to improve co-ordination and collaboration between both Houses.

Finally on this topic, I acknowledge, as did the noble and learned Lord, Lord Wallace, and others, that the restoration and renewal Joint Committee, which I have the great privilege of co-chairing with the Leader of the House of Commons, is a really good example of a Joint Committee of both Houses where the membership is equal and we are working together, recognising that the issue before us is one that we have to address together and cannot address separately.

Moving on to some of what I might describe as the points of detail that arose in the debate, I shall respond first to the points raised on the remits of the new committees and the relationships between them. The noble Lord, Lord Campbell-Savours, raised the question

of whether it would be clear under this new structure which decisions would sit with the senior committee and which would sit with the junior committees, or sub-committees, and my noble friend Lord Cope made similar points. I think that they both referred to some specific committees, such as the services and finance committees. I understand the concerns raised, but this is where the preliminary discussions that will take place in the House Committee, and will then have to be followed through once the new senior committee is established, are the crucial part of this change. It is about getting that clarity of remit right from the start and having the proper delegation of powers from that senior committee to the sub-committee so that, once those committees are in place, the people on them know what their responsibilities are, what they are accountable for and what the House expects from them. There were points made well about this by all noble Lords who raised them, and we need to take serious account of them in the next phase.

The noble and learned Lord, Lord Hope, raised a specific question about who would speak for the senior committee. There were other points raised as well about the role of the Chairman of Committees. Who will speak for the senior committee can, again, be discussed in the next phase, but it would be perfectly reasonable for us to assume that the person in the new post of the senior deputy speaker would be the one who would speak for the senior committee. I do not consider what is proposed in the report to be any kind of diminution of the responsibility of the Chairman of Committees—the noble Baroness, Lady Smith, said this, too. I see this role as being a very senior Member of this House. Yes, it will be someone whose responsibility is more focused, but we should see that as a positive step forward and not in any way a relegation of seniority.

Because of that, I note what the noble and learned Lord, Lord Hope, said about the salary of the new senior deputy speaker post. I am happy for us to consider that, but I do not think that it would be something I would necessarily advocate, because that role will continue to be very substantial and significant. As for the title of the role, the point I was making in my opening remarks is that, whatever new title we might decide to give it—whether that is senior deputy speaker or deputy Lord Speaker—we would not be able to remove the Chairman of Committees officially from that role without a change to primary legislation. However, we can of course use whatever title we choose to.

The noble Baroness, Lady Cohen, raised an important question about the Audit Committee and whether its chair should also be a member of the senior committee. That is another important and wise suggestion, which I think we should reflect on further.

The noble Earl, Lord Kinnoull, asked about the number of non-executive directors on the senior committee and whether that should be increased. Like the noble Baroness, Lady Smith, I think it is important that we do not consider the non-executive directors as the only people who would bring expertise to the senior committee. In that regard, I would see their contribution as slightly different to that which one would normally expect non-executive directors to make to a board. I also

make the point that the senior committee is one with a supervisory function, so that the Members of this House on that committee will not themselves be the executive; the executive is the administration. The noble Earl also raised an interesting point about board evaluation. That, again, is something we can consider in next steps.

The noble Lord, Lord Haskell, raised questions about members of the administration being full members of the group. My noble friend's group did reflect on this carefully but did not recommend it. However, it is important that the members of staff and officers of the House who attend these committees feel able to make a full contribution to the discussions and are not in any way seen as somehow being prevented from playing their full part in them.

Other concerns were raised about the potential effects of the changes. The noble Baroness, Lady Maddock, is an excellent chairman of this House's Works of Art Committee, and I was very grateful to her for giving us all an insight into the responsibilities of the committee. The work of that group is important and should, and will, continue. I do not think that the proposal in the Leader's Group report for it to sit as an advisory panel to the Lord Speaker does anything to detract from the important work that it does, but again we can reflect on the relationship between the Lord Speaker and that panel, and how that works in practice, in the next stage.

Noble Lords, including the noble and learned Baroness, Lady Butler-Sloss, the noble Lord, Lord Oxburgh, and my noble friend Lady Fookes, commented on the continuing role of the Information Committee. I would again come back to what I said in response to the noble Lord, Lord Campbell-Savours. Although that committee currently has a very important remit and set of responsibilities, the new structure envisaged in the proposals from the Leader's Group means that these committees will not necessarily just replicate all the work that was there before but will have a different focus and approach. They will try and look at these things at a more strategic level and avoid some of the duplication. One of the most telling examples for me as a member of the House Committee where I felt that some of the distinctions between responsibilities were not quite right was a matter which had gone through the Information Committee at great length but then became a matter that the House Committee felt it needed to get involved in.

As I say, the arguments and concerns that noble Lords have raised in this debate will be instrumental and informative as we design the remits, the delegation of powers and the memorandums of understanding. We have to get this right in the first place and be clear as to what these different committees will be responsible for.

Lord Campbell-Savours: Is the noble Baroness not referring to the issue of equipment for Members generally? There was a lot of concern in the House about this. There will be less opportunity within this new structure for the widest possible consideration of all the concerns that exist on this and other issues. I do not really think that the structure that the noble Baroness is referring to will deal with these concerns.

Baroness Stowell of Beeston: I understand the point that the noble Lord is making, and it is one that we have to be mindful of, but I do not think it means that what is being proposed as an alternative route for our decision-making is somehow not appropriate. What is being put forward here, and what has attracted widespread support today, is about clarity and making sure that we do not again in future find ourselves in a situation where different committees are looking at decisions that have been made by other committees and trying to reopen them and unpick them.

My noble friend Lady Fookes mentioned the workload, time commitment and different responsibilities and demands that may be placed on members of the new services committees versus those laid on members of existing committees. Again, we need to reflect on that, but I would argue that we should be clearer with potential members of the committees what the responsibilities are and, I hope, attract volunteers for this work who will be willing to take on the necessary time commitment.

Some noble Lords felt that we should remove some key elements of the package put forward by my noble friend's group or add significantly to it. I caution against that, because it could jeopardise the progress that we have made, slow the momentum that has built up in recent months and make it difficult for us to implement. I know that there is now support for us to progress.

My noble friend Lord Cormack asked about electing members of Select Committees and the noble and learned Lord, Lord Wallace, talked about electing the Chairman of Committees and the chairmen of the European committees. The noble Baroness, Lady Donaghy, talked about the administration and staff structures. The first of those was considered by my noble friend's group, and it was clear in its recommendation that the members and posts of those committees should continue to be appointed. As has been reflected in the discussion today, the respective leaderships of the groups should pay particular attention to the responsibilities and skills required for them to be effective once they are in place.

I conclude by saying that I am very grateful to all noble Lords for their contributions and to the group for setting out the path towards a more effective decision-making framework which can make pragmatic but important reforms to our internal processes. I stress again that structural changes on their own are not enough; a governance system is only as good as the people who operate within it. There needs to be a shared purpose and commitment from all those involved, and there must be a common goal and real desire to change behaviours as well as inputs. I think that we have seen that today in our discussion.

If we want the new framework to be effective and for us to embed real change, we must all be committed to making it work. Seeing the shared sense of purpose on all Benches today has given me real hope for the future in that regard. As I said, we will consider some specific points of detail very carefully, but I look forward to working with all noble Lords and making swift progress from here. I commend the Motion.

Motion agreed.

Prisons: Violence

Statement

6.38 pm

The Minister of State, Ministry of Justice (Lord Faulks) (Con): My Lords, I wish to repeat as a Statement an Answer given to an Urgent Question in the other place by my honourable friend the Prisons Minister. The Statement is as follows:

“Before I move on to the substance of this question, I should like to update the House on events which occurred at HMP Wormwood Scrubs this weekend.

On the morning of 6 May, prison officers refused to enter the prison citing health and safety grounds. Later that day, an agreement was reached between the National Offender Management Service and the Prison Officers Association. All officers have now returned to work and the prison is running a normal regime. NOMS and the POA are jointly committed to resolving any outstanding health and safety concerns at HMP Wormwood Scrubs.

On Sunday 8 May, two members of staff at Wormwood Scrubs were assaulted and taken to hospital for treatment. We do not tolerate any violence against our hardworking officers. The alleged perpetrator is now facing a police investigation, which could lead to criminal charges.

Moving on to the wider question, I take the issue of safety in prisons very seriously. Reducing the harm that prisoners may cause to themselves or others is the Government's top priority in prisons. The most recent statistics on safety in custody show that levels of self-inflicted deaths, self-harm and violence in prison are too high. The figures demonstrate the very serious challenges facing the Prison Service.

There is no single, simple solution to the increases in deaths and violence in prisons. These trends have been seen across the prison estate, in both public and private prisons, and in prisons both praised and criticised by HM Inspector of Prisons. We have already taken a number of steps to address these problems: we have recruited 2,830 prison officers since January 2015, a net increase of 530; we are trialling the use of body-worn cameras in prisons; we are strengthening case management of individuals who risk harming others; we have introduced tough new laws which will see those who smuggle packages over prison walls, including new psychoactive substances, face up to two years in prison; and we have reviewed the case management process for prisoners assessed as being at risk of harm to themselves, known as assessment, care in custody and teamwork, and are implementing the recommendations. However, it is clear we must do more. We need to reduce violence and prevent drugs entering prison. We have to do better at helping prisoners with mental health problems. We have got to ensure prisoners can be rehabilitated so they are no longer a danger to others. That is why this Government are committed to fundamental reform of our prisons. We have secured £1.3 billion to modernise the prison estate, and we will give greater autonomy to governors so they are truly in charge. I look forward to setting out our plans in greater detail shortly.

These problems are deep-seated and there are no easy answers, but I can assure the House that this Government will not waver in their determination to

reform our prisons, so that they become places of decency, hope and rehabilitation”.

My Lords, that concludes the Statement.

6.42 pm

Lord Tunncliffe (Lab): My Lords, I thank the Minister for repeating the Statement. Given the long-standing concerns about overcrowding, self-harm, violence and suicides in prison, last week’s revelations about the use of synthetic cannabis and the damning reports on the misuse of force and restraint of young offenders in Rainsbrook Secure Training Centre last March and Medway Secure Training Centre last week, is it not time for a judge-led review of the management of custodial services and the Youth Justice Board along the lines of the report from the noble and learned Lord, Lord Woolf, published in 1991? Should that not include reconsideration of the outsourcing of provisions to overseas private companies and palpably overstretched organisations such as G4S?

Lord Faulks: My Lords, of course, any outbreak of violence, wherever it takes place, is concerning. The noble Lord referred particularly to Medway and Rainsbrook. On Medway, I hope to be able to update the House shortly, following the inquiry into how Medway Secure Training Centre had been run in the wake of the “Panorama” programme.

In the Statement, I said that there was no single solution. It is significant that there is violence in all sorts and types of prisons, so one must beware of thinking that there is one particular solution. I take the noble Lord’s point about the very useful and seminal report prepared by the noble and learned Lord, Lord Woolf, following the Strangeways riots in Manchester, which provided a lot of guidance to prison management in future. We will learn from that and from all these events. As the noble Lord will be aware, reports are shortly to be published on education and mental health in prisons. All that will help to inform the substantial reform that I mentioned, and we hope that that will contribute to stamping out the violence.

Lord Dholakia (LD): My Lords, there are two aspects that are matters of concern. One was mentioned in the Statement: the use of psychoactive drugs and the extent to which that could destabilise the control of discipline in prisons. The Minister has not mentioned the other one, though, so I wonder if he could throw some light on the extensive use of severe and harsh sentences. They are one of the causes of overcrowding, which ultimately results in the type of violence that we saw in Wormwood Scrubs.

Lord Faulks: The question of sentences is difficult. As the noble Lord will know, the choice of sentence is a matter for the judge in the individual case and generally will reflect the severity of the offences that have been committed. From time to time Parliament will intervene—notoriously, for example, with IPP prisoners—and set certain parameters within which judges have to sentence certain offenders. The fact is that there is currently a higher cohort of violent offenders in prison than there has been for some considerable time. Together with the substantial difficulty

caused by psychoactive substances, that contributes to the problem of violence in prisons. It is important not to generalise too much about sentences. A sentence should be long enough to reflect the seriousness of the offence but short enough to give the offender a chance to rehabilitate and give them some hope. In due course, through the work that we are doing on rehabilitation, we hope to ensure that when people leave prison they do not return, because of course the biggest increase in prison sentences is for those coming back again through the prison door.

Baroness Masham of Ilton (CB): My Lords, are prison staff trained enough in dealing with alcohol and drug abuse and mental health?

Lord Faulks: The noble Baroness raises the important point of training for prison officers. I can tell her and the House that the training of prison officers has increased in terms of the length of time, from six weeks to 10. I have visited the training centre at Newbold Revel, and included in the training is a greater emphasis on the very things that the noble Baroness mentions. Mental health problems are very apparent in the prison population; NICE estimates that 90% of prisoners have some sort of mental illness, so it is extremely important that prisoners are assessed on arrival in prison and that any change in their condition is properly monitored through co-operation between prison governors, who have greater power, and NHS England at a local level. Alcohol and drug problems are profound and must be treated as medical issues. Drug issues tend to last longer in prison than alcohol problems, but of course both provide challenges for the Prison Service.

Lord Ramsbotham (CB): My Lords, during an extradition case recently I inspected a prison in Abu Dhabi, where I found completely the opposite conditions to here. The cells were on locked landings but every cell door was open 24 hours a day so that prisoners could get showers and have access to telephones, recreation, television and so on. There have been three suicides in prison in Abu Dhabi in the past 25 years. Having seen exactly the same conditions in Dubai and Kenya, I wonder whether in fact our locking people away for so long and not allowing them to circulate with others has something to do with the violence presently in our prisons, and whether anything is being done to look at doing things in the completely opposite way.

Lord Faulks: I am grateful to the noble Lord for his insights from what he learned in Abu Dhabi. The Government are looking at all sorts of different indicators for why violence occurs in certain circumstances. Plainly, keeping people locked up for longer than necessary can provide a significant exacerbation of what is a tendency to violence anyway. As I say, there is no one single cause. The problem with psychoactive substances, which at the moment are a very significant cause of the violence, is that the drug or drugs not only precipitate violence in the individual, but promote an unpleasant subculture within prisons whereby debts are incurred in the buying and selling of drugs, which then promotes violence between prisoners. Therefore it is multifactorial. However, what

[LORD FAULKES]

the noble Lord says should of course be very much part of the general response to the challenge that prisoners present.

Baroness Howarth of Breckland (CB): My Lords, I am interested in what the Minister says and apologise for being a moment late—I was chairing another meeting. Within the last parliamentary working week, including the weekend, two sets of people have come to me to talk about violence that they are experiencing in prison and about which they can do nothing. One case involves a woman whose child was killed by a paedophile in a famous case. She is being harassed from prison by the person who killed her son and is being told that nothing can be done about that. The second is a case I am trying to pursue, so I will not say too much about it, in which gangs in two of our major London prisons are running extortion rackets. A woman is paying to protect her son, who has not only been badly beaten up twice—there has been no incident report—but severely radicalised while in prison. I have two questions. First, what is the management doing in our large prisons where there is gang influence and where the gangs are able to work with gangs outside to terrorise families, and secondly, what are we doing to ensure that where telephones are available—and there are reasons why they should be—they are not used inappropriately to harass families outside?

Lord Faulks: The noble Baroness will understand why I cannot comment on individual cases, particularly when all the facts are not yet known. However, she makes a general and important point. It is perhaps significant that the problems in prisons do not come entirely from within prisons, and it is most important that prison governors work closely with the National Crime Agency and local police officers and that their intelligence reaches beyond the prison gate and walls. I have to say that from my understanding that is not consistent across the country as regards its effectiveness. However, the noble Baroness identifies an important point which we feel should be more realistically achieved once there is greater governor independence and there can be this link of intelligence which will prevent the sort of situations that she describes.

Education: Academies

Statement

6.52 pm

The Parliamentary Under-Secretary of State, Department for Education (Lord Nash) (Con): My Lords, with the leave of the House, I will now repeat a Statement made in the other place earlier today by my right honourable friend the Secretary of State for Education on all schools becoming academies. The Statement is as follows:

“In our White Paper, *Educational Excellence Everywhere*, I set out this Government’s vision to continue the rise in educational standards in England over the rest of the Parliament. We are committed to building on the reforms of the past six years, which have led to 1.4 million more children being taught in good and outstanding schools. But we are not content to stop there: 1.4 million children is a start, but it is

not enough. We have to ensure that we deliver a great education to every single child; it is what we owe to the next generation—to give them the tools to realise every ounce of their potential. The White Paper was called *Educational Excellence Everywhere* for a reason: as I have said before, for me the ‘everywhere’ is non-negotiable. In the White Paper, for example, we set out our plans for achieving excellence areas, where we will focus specific resources to tackle entrenched educational underperformance.

The White Paper sets out how we want to see the teaching profession take responsibility for teacher accreditation, tackle unfair funding, build leadership capacity and set high expectations for every child with a world-leading, knowledge-based curriculum in a truly school-led, self-improving system, learning from the best from across the world and preparing the next generation to compete on the global stage.

The vision of a fully academised system has attracted most attention. Over the course of the last few weeks, I have spoken to many honourable Members on both sides of the House, as well as to school leaders, governors, local government representatives and parents. What is clear from these conversations is that the strength and importance of academies is widely accepted. There is a clear recognition of the case for putting greater responsibility for the school system in the hands of school leaders.

Let me be clear. We firmly believe that schools becoming more autonomous and more directly accountable for their results raises standards. Academies are the vehicle to allow schools and leaders to innovate with the curriculum, have the flexibility to set the pay and conditions for their staff, and bring about great collaboration with other schools. We still want every school to become an academy by 2022.

We always intended this to be a six-year process, in which good schools should be able to take their own decisions about their future as academies. However, we understand the concerns that have been raised about a hard deadline and legislating for blanket powers to issue academy orders. That is why I announced on Friday that we have decided it is not necessary to take blanket powers to convert good schools in strong local authorities to academies at this time.

In March, a record 227 schools chose to apply for academy status, showing clearly where the momentum lies as school leaders, parents, governors and teachers across the country embrace the benefits that being an academy brings. Since then, we have also issued more than 104 academy orders to underperforming schools, meaning that the young people in those schools will soon benefit from the strong leadership provided by expert academy sponsors.

That is why those who took to the airwaves this weekend to crow about a victory in their battle against raising standards will find themselves sorely disappointed. There will be no retreat from our mission to give every child the best start in life and to build an education system led by school leaders and teachers on the front line, running their own schools as academies.

The Education and Adoption Act 2016 already enables us to rapidly convert failing schools and schools which are coasting where they can benefit from the support of a strong sponsor. As a result, when schools

underperform, it is now easier to respond swiftly and effectively. Schools will not be allowed to languish unchallenged for years.

As we set out in the White Paper, and as I have subsequently argued, the most pressing need for further powers is to boost standards for those schools languishing in the worst performing local authorities and to provide for schools in local authorities likely to become unviable. So, instead of taking a blanket power to convert all schools, we will seek powers in two specific circumstances where it is clear that the case for conversion to academy status is pressing.

In our worst-performing local authorities, we need to take more decisive action so that a new system led by outstanding schools can take their place. Similarly, because of the pace of academisation in some areas, it will become increasingly difficult for local authorities to have the ability to offer schools the necessary support, and there will be a need to ensure that these schools are not dependent on an unviable local authority. We will therefore seek provisions to convert schools in the lowest-performing and unviable local authorities to academy status. This may involve in some circumstances conversion of good and outstanding schools when they have not chosen to do so themselves. But the need for action in those limited circumstances is clear because of the considerable risk to the standard of education that young people in those schools receive, as the local authority is either unable to guarantee their continued success or support further improvement.

We will consult on these arrangements, including the thresholds for performance and unviability. I am making a clear commitment that the definition of and thresholds for underperformance and viability will be the subject of an affirmative resolution in this House.

I would also like to reassure honourable Members on concerns raised about how we protect small schools, particularly those in rural areas. I have already made it clear that no small rural school will close as a result of the move to have more schools becoming academies. There is already a statutory presumption against closure of rural schools, but we will now go further. Where small rural schools are converting to academy status, we will introduce a dual lock to ensure their protection: both local and national government will have to agree to a school closing before a decision can be made. There will also be dedicated support to help rural primary schools through the process of conversion and a £10 million fund to secure expert support and advice.

While we want every school to become an academy, we will not compel successful schools to join multi-academy trusts. In order to share expertise and resources, we expect most schools will form local clusters of multi-academy trusts. But if the leadership of a successful school does not wish to enter a formal relationship with other schools, we trust them to make that decision and will not force them to do so. Small schools will be able to convert to stand-alone academies as long as they are financially sustainable.

I began this Statement by saying our goal has not changed. This Government will continue to prioritise the interests of young people in getting the best start in life by having an excellent education over the vested

interests that seek to oppose the lifting of standards and the rooting out of educational underperformance—those very same vested interests that allowed schools to languish for years unchallenged and unchanged until the launch of the sponsored academies programme by the last Labour Government.

Our work to improve our education system will continue apace. We will continue to empower school leaders and raise standards. We will continue to hold high expectations for every child. We will establish a fair national funding formula for schools so that young people everywhere get the funding they deserve. We will continue to work towards a system where all schools are run and led by the people who know them best in the way that works for their pupils, as academies. These reforms will transform the education system in our country and ensure we give every child an excellent education so that they have the opportunity to fulfil their potential. I commend this Statement to the House”.

7.01 pm

Lord Watson of Invergowrie (Lab): My Lords, I thank the Minister for repeating the Statement. In it there was mention of people crowing at the Government’s climbdown. I am not going to adopt that approach, although I have to say that I can understand why many would. U-turns are becoming a regular feature of this Government’s attempts to initiate or see through legislation, and the number of times that we have witnessed the brakes being applied soon after bold statements of intent suggests that a little more than bad luck is at play here. Bad judgment is more likely, I think, and that is certainly the case with forced academisation. Before I leave the issue of crowing, I find it rather depressing to hear the Statement say that people are crowing about a victory in their “battle against raising standards”. Is that really what Ministers believe? Nobody is against raising standards. The Minister and the Secretary of State should realise that they and the whiz-kids at the No. 10 Policy Unit do not always know better than those who, day in and day out, are at the sharp end of things, delivering education for our children. Of course there are examples of where schools are underperforming, and they must be helped to improve, but that does not justify the conclusion that academisation is the only answer.

The opposition to the White Paper proposals encompassed a broad alliance, including head teachers—I hardly need to remind the Ministers here this evening that head teachers made their collective voice very clear to the Secretary of State when she spoke to their conference—and also parents, governors, teachers, local government leaders from all parties and Members of Parliament, more than a few from their own party. Although the Secretary of State has conceded on the ideologically driven idea of forcing good and outstanding schools to become academies against their wishes, she still apparently holds the ambition that all schools will become academies, though still without advancing a single convincing reason as to why this aim is sensible in the first place.

The Statement today is certainly welcome, but it none the less leaves questions, one of which is whether high-performing schools will be forced to become academies. At one point, the Statement says:

[LORD WATSON OF INVERGOWRIE]

“We will therefore seek provisions to convert schools in the lowest-performing and unviable local authorities to academy status. This may involve in some circumstances conversion of good and outstanding schools when they have not chosen to do so themselves”.

Yet later it says:

“While we want every school to become an academy, we will not compel successful schools to join multi-academy trusts”.

I say to the Minister: which is it? The Government clearly cannot have it both ways.

There is also the issue of autonomy. Do the Government really believe that that is the outcome when a school becomes part of a multi-academy trust? They claim that academisation devolves power to the front line, but that is a myth. Schools and academy chains actually lose most of their autonomy because the chain controls their premises, their budget, their staffing and their curriculum. The ultimate irony is that chains have far more power over schools than local authorities currently do.

Last week, I asked the Minister in your Lordships’ House whether there was any evidence that academies automatically performed better than local authority maintained schools, particularly those that are already categorised as high performing. The Minister avoided answering the question, perhaps for the good reason that the honest answer was no. What he did do was to pray in aid what he thought was a supportive comment from the Sutton Trust. But what he did not tell the House was that the research by the Sutton Trust found that there is a very mixed picture in the performance of academy chains and no evidence at all that academisation in and of itself leads to school improvement.

The White Paper promotes academy chains as the preferred model, yet many chains are performing badly and significantly worse than many local authorities—a point recognised by the head of Ofsted, Sir Michael Wilshaw. There have been too many examples of financial mismanagement verging on corruption in academy chains and—perhaps it is a debate for another day—the Education Funding Agency is widely recognised as not being up to the job of supervising even the number of academies that we now have. So I again ask the Minister what evidence the Government have that only academisation leads to school improvement. Where is the choice and autonomy that the Government are so fond of emphasising despite advancing a one-size-fits-all approach? Is there sufficient capacity and accountability in the academy system to ensure that it is best practice, not poor practice, which is being spread?

These questions remain as the Government seek further powers to speed up the pace of academisation. Your Lordships might like to ask why this has been deemed necessary so soon after the Education and Adoption Act was in your Lordships’ House. We spent many days and hours going through the fine detail of that Bill; but were the White Paper proposals to be adopted, it would mean that we had effectively wasted our time on it. If the Government were so convinced that only forced academisation would do, why did they not amend the then Education and Adoption Bill appropriately? That would have been the honest approach instead of leading noble Lords and MPs down what is

effectively a false path, knowing that the Bill was merely a stop-gap measure.

It is surely self-evident that we all want to see educational excellence everywhere, but at a time when schools are facing huge challenges from falling budgets and teacher shortages, top-down reorganisation of the school system will remove even more money, time and effort from where the focus should be. It is high time the Government recognised that further structural changes are at best a distraction and, at worst, could damage standards. Will the Minister now accept that, when it comes to change in education, the Government need to carry the professionals with them if such change is to be successfully delivered?

Lord Storey (LD): I thank the Minister for repeating the Statement. It is actually good to listen; it is good to hear what other people have to say rather than immediately jump to conclusions, and I welcome the fact that the Government have listened to people who have considerable experience in these matters and adjusted the likely content of the forthcoming Bill.

The Minister said in the Statement that the Government wanted to,

“deliver a great education to every single child”.

But don’t we all? I suppose that the difference is that some of us do not believe that the blind concentration on structures and types of school is really the answer. We think that, more importantly, it is about the quality of leadership of those schools. It is about the teachers—who are highly trained, highly respected and given proper continuing professional development. It is about a broad national curriculum which every pupil takes, and includes, as some of the Minister’s colleagues believe, PSHE and good careers advice. It is about parents being involved in the education of their child, not divorced from it; and it is about a curriculum which celebrates technical, vocational and creative education.

There is no evidence that turning a school into an academy will improve standards. In fact, academies tend to perform less well in Ofsted inspections than local authority schools do. I hope that we will see, once and for all, the end of the ideological obsession with pushing aside the role of local authorities in community schools. They need to be cherished, nurtured and given the resources to do the job.

I am very pleased with what the Minister said in the Statement about rural schools, which have been neglected for far too long and need special attention. But putting them into multi-academy trusts is not always the best solution. If they have to go into a multi-academy trust, the trust has to have a relationship with the community that the school is in, because the community is hugely important to the rural school.

I have two questions for the Minister. So far, he has resisted publishing tables to compare trusts’ overall performance. Will he now agree that that should happen? Secondly, he has refused to let Ofsted conduct full inspections of academy chains. Will he now agree that this should happen as well?

Lord Nash: My Lords, I am grateful to the noble Lord, Lord Watson, for his comments about supporting the raising of standards in schools. I have no doubt that he supports that aim.

Many people wanted to see more detail on our direction of travel for academies, so we provided it in the White Paper. However, as I have said, it is clear that the blanket power outlined in the White Paper created anxiety in the system. So we have listened—I am grateful for the comments of the noble Lord, Lord Storey, about that—to the concern of head teachers and teachers and removed those powers so that people can now take time to understand the benefits of becoming an academy or joining a multi-academy trust. I am confident that once people have had the opportunity to understand that, many more will come forward to convert, as schools are in record numbers at the moment. I hope that noble Lords across the House who have not had the opportunity of spending time with leaders of academies or multi-academy trusts or with the regional school commissions will take the time to do that over the next few months. I am happy to arrange visits or meetings. We will continue to listen and to have dialogue with the sector, parents, teachers, governors, unions and local authorities over the next few months.

The noble Lord, Lord Watson, referred to evidence, an issue we have discussed a great deal in this House. I said in answer to his question that schools that have chosen to convert to academies—that is, those that are high performing already—are obtaining better results. Despite their already high performance, they are improving their results and are more likely to be rated good or outstanding by Ofsted. Secondary converters are performing 7 percentage points above the national average and results in primary-sponsored academies open for two years have improved on average by 10% since opening, more than double the rate of local authority maintained schools over the same period.

In answer to the question asked by the noble Lord, Lord Watson, in certain limited circumstances, high-performing schools may be obliged to become academies—that is, where they are in local authorities that are either performing poorly or are unviable. As I have said, we will be setting out more on that and consulting on what the viability test will be.

We make no apologies for the benefits of schools working in multi-academy trusts. There are particular benefits in relation to leadership development and CPD for teachers. People who work in multi-academy trusts talk often about the retention of staff benefits. They say that when they were running one school they tended to lose their rising stars because they could not offer them career development opportunities. They can now have rising stars programmes in place and retain their best staff. There are benefits such as the sharing of good practice and economies of scale, and many others. I invite noble Lords, when they meet with people from multi-academy trusts, to discuss this with them.

On accountability, as I have said before, academies are held to a higher standard of accountability than local authority maintained schools. They are obliged to publish annual third party-audited accounts, which local authority maintained schools are not; no one in a governance relationship with an academy can profit from that relationship, which can happen in a local authority maintained school; and they are also held to the standards of the Charity Commission and the Companies Act.

As to leadership, the noble Lord, Lord Watson, made a good point about the capacity and leadership. We have £600 million available to develop this programme. We have invested in a leadership programme with future leaders and executive educators, and we are in discussions with a number of business schools about their developing leadership courses for people who work in academies and multi-academy trusts. I hope to say more about that in due course.

I am grateful to the noble Lord, Lord Storey, for his comments about rural schools. I agree entirely about the importance of their being intimately engaged with their local communities. In answer to his last two questions, we will be publishing MAT performance tables based on this summer's results. We have had extensive conversations with Ofsted, and agreed an arrangement whereby Ofsted will carry out batch inspections of schools in multi-academy trusts and look at the school improvement services provided by the head office. However, we do not think it appropriate for Ofsted inspectors to inspect the finances, governance and management arrangements of these organisations. We have discussed with Ofsted the idea that in certain circumstances, there may be joint inspections: Ofsted inspecting school improvement and the performance of the schools, and the EFA—possibly working with consultants—inspecting the head office, management, governance and financial arrangements of the trusts. We have also had discussions with Ofsted because we know that it has inspected weak performing multi-academy trusts. We hope that it will soon be inspecting some strong performing multi-academy trusts so that we can see what a really good chain looks like.

7.15 pm

Lord Sutherland of Houndwood (CB): My Lords, I welcome much that is in the Statement repeated by the Minister. As a good Cross-Bencher I have no interest in being drawn into any frisson or hint of triumphalism perhaps coming from the other Benches, nor even a collective sigh of relief from the Benches behind the Minister, because that is there as well; both apply.

There are many things in the Statement which I am sure that I and others agree with. We want to ensure that we deliver a great education for every child—who would not? Of course we do. We want to focus resources on tackling entrenched underperformance, and of course the Minister has made it plain that he knows that resources are not simply cash. They are to do with leadership and talent working in the schools in question. The strength and importance of academies is widely accepted. I absolutely agree with that, on the basis of being well acquainted with quite a number of academies and academy chains.

However, I want to register two questions which are premised on the most important point made in the Statement. While we want every school to become an academy, we will not compel successful schools to join multi-academy trusts. That is the point on which many supporters of academies were hung up. It is the most important statement that we have before us. It is also important to emphasise that, yes, we can persuade, but no, we cannot compel. In that context, I would like to be reassured that the aspiration for converting every school into an academy within six years is not a sotto

[LORD SUTHERLAND OF HOUNDWOOD]

voce way of bringing into play a form of compulsion that will be part of the next series of policy decisions. A reassurance on that is rather important.

Finally, the Minister indicated that the definition and thresholds of underperformance and viability will be the subject of affirmative resolution. Presumably that applies to the Commons, but will it apply to this House? Will we also have an opportunity to debate those issues?

Lord Nash: I am grateful to the noble Lord, Lord Sutherland, for his comments. Given his vast experience in this area, he always makes helpful observations. He is absolutely right in what he says. There is no doubt that our comments about compulsion had caused anxiety in the system. In order, if you like, to take the heat out of it, we have decided to remove that because we think it is right that people should work out for themselves the benefits of academisation, whether on their own or in multi-academy trusts. In answer to his last point, yes, those issues will be subject to the affirmative resolution of both Houses.

Lord Baker of Dorking (Con): My Lords, as the Minister responsible for converting the first local authority education schools to independent city technology colleges, at the time I believed that if we could show that they were successful, others would follow; it would be a natural flow of events. In fact, that is exactly what has happened. Progress can be achieved by the natural flow of events rather than prescription, so I am glad that the Government have accepted that approach. I should also say to the Minister that I agree very much with the point made by the noble Lord on the Cross Benches that all good schools should not necessarily join multi-academy trusts. On the other hand, multi-academy trusts are essential between the institutions and the Government, which cannot possibly be responsible for 30,000 schools and the independent schools in our country. I am also glad to see that there are to be tough inspections by Ofsted. There are some very good multi-academy trusts, the best of which is that run by the noble Lord, Lord Harris of Peckham, who has been working at it for 30 years. But there are also some poor multi-academy trusts, and a poor multi-academy trust is no better than a poor local education authority.

Lord Nash: I entirely support my noble friend's comments about success proving itself. Of course, he is vastly experienced in this area and, indeed, if it were not for his invention of city technology colleges all those years ago, we would not be here today. Of course, there are poorly performing academy groups and we are intent on intervening whenever we can to improve them. As my noble friend said—and I entirely support his comments about our noble friend Lord Harris—we now have enough outstanding academy groups, such as Harris, Ark, Outwood Grange and many others. We know that when a multi-academy trust is functioning well, it provides a standard of education to which all multi-academy trusts, we hope in time, can aspire.

Lord Lexden (Con): I return to the position of rural schools, which was raised by the noble Lord, Lord Storey. Do they not face considerable pressures at the moment and require additional support in dealing with them? Secondly, does my noble friend agree that a responsible Government must have the power to intervene where local authorities are clearly failing?

Lord Nash: I agree entirely with my noble friend that rural schools face certain pressures. We are absolutely determined that no school—particularly rural schools—will be left behind. Our national funding formula will, for the first time, provide many rural schools with more support than it has in the past. We are proposing both a lump sum and a sparsity factor for rural schools. As I said, we will have a fund of £10 million to help them explore the academisation. We will have people working with them and will do all we can to help them. We believe that rural schools working together may be able to afford, for instance, a language teacher, which on their own they would be unable to do. On my noble friend's second point, we accept that where we have underperformance—wherever it is, whether in the local authority or elsewhere—we must have powers to intervene.

Baroness McIntosh of Hudnall (Lab): My Lords, the Minister made it fairly clear that although the element of compulsion has been removed at least from the rhetoric for the time being, it is still the determination of this Government to encourage, by whatever means, all schools to become academies. Building on the point made by the noble Lord, Lord Baker of Dorking, when he said that a poorly performing multi-academy trust is no better than a poorly performing local authority, can the Minister say why the Government are so bent on creating this new monoculture? A well-performing academy trust is obviously a very fine thing and we all like to see schools succeed, but some local authorities are also succeeding and are creating and supporting schools that are doing well. Should we not celebrate that success as well as the success of academies?

I shall follow on from the question asked by my noble friend on the Front Bench. The issue of autonomy for schools—much vaunted in the progress of this Government's determination to encourage academies—is surely diluted in multi-academy trusts where there is, of course, one leadership team. The degree of autonomy that then resides with the individual school must by definition be reduced. Is that really what the Minister has in mind?

Lord Nash: As I have said, I accept that there are multi-academy trusts that are not performing, but we have ambitions to bring them up to the standards of those that clearly demonstrate that this model works. As far as a monoculture is concerned, we would say that we have much more diversity in the academy trust structure than under a local authority structure, whereby a school is stuck in one local authority because of a geographical accident. An academy can choose to convert, maybe on its own or as part of a small local cluster, or as part of a larger group. Of course, there are high-performing local authorities, and we encourage

them to spin out and form multi-academy trusts, which some are discussing at the moment, or to subcontract out their school improvement activities.

As far as autonomy of individual schools is concerned, we have said a lot about how we would expect schools in multi-academy trusts to work together in local clusters. We think that is absolutely essential to their being intimately involved with their community. Ultimately, we are concerned with standards and pupils ahead of everything else.

Lord Cormack (Con): I thank my noble friend for his Statement. I was one of those breathing the collective sigh of relief referred to by the noble Lord, Lord Sutherland. I am delighted that the Government have withdrawn the word “compulsion”, but, since he has made his understanding of rural schools clear, I ask my noble friend to remember that in many rural schools—I had some 40 in my former constituency—parent governors play a particularly important part. Just as he will encourage schools to become academies, will he encourage all schools to maintain parent governors?

Lord Nash: I entirely agree that parent governors play a very important part in all schools, particularly in rural schools, where, as we have discussed, they are so intimately connected with their local community. That is why we want parents to be more involved in their schools than they are at the moment. We want them to be intimately involved in all aspects of their child’s education, be that attendance at parents’ evenings or whatever. For the first time, we will create a new

expectation that every academy will put in place arrangements for meaningful engagement with all parents to give all parents a voice. We will put in place a parent portal, setting out the key things that parents need to know about their schools. We will introduce more regular surveys of parental satisfaction and we will provide guidance on handling complaints.

Lord Lansley (Con): My Lords, I am grateful to my noble friend the Minister for the Statement. I will ask two quick questions. First, what is the Government’s view of the establishment of multi-academy trusts by local authorities? Clearly they will require them to be at arm’s length, but is this something that the Government would encourage to reach that 2022 objective? Secondly, will my noble friend give your Lordships’ House an indication of the pace at which those schools that are some distance below the target in the funding formula will be able to attain it over time?

Lord Nash: To answer my noble friend, as I said, we certainly encourage individuals in local authorities to spin out and set up trusts. Local authorities are allowed to have just under 20%. We will encourage people in local authorities to get involved in MATs in any way that works for them. As far as the national funding formula is concerned, the first changes will take place in 2017-18. We are keen to phase this in over a period of time. The second phase of the consultation will deal in much more detail with the granularity of the figures and the timing.

House adjourned at 7.28 pm.

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